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REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN*

Sixteenth session

* The present document is a mimeographed version of the report of the Committee on the Elimination of Discrimination against Women on the work of its sixteenth session. The final report will be issued as Official Records of the General Assembly, Fifty-second Session, Supplement No. 38 (A/52/38) and will include the report of the Committee on its seventeenth session (A/52/38 (Part II)).

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LETTER OF TRANSMITTAL

31 January 1997

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its sixteenth session from 13 to 31 January 1997 at United Nations Headquarters. It adopted its report on the sessions at its 333rd meeting on 31 January. The report of the Committee is herewith submitted to you for transmission to the General Assembly at its fifty-second session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Salma KHAN
Chairperson
Committee on the Elimination of
Discrimination against Women

His Excellency Mr. Kofi Annan
Secretary-General of the United Nations
New York

I. MATTERS BROUGHT TO THE ATTENTION OF STATES PARTIES

A. Decisions

Decision 16/I. Concluding comments

The Committee on the Elimination of Discrimination against Women decided that its concluding comments would continue to follow the standard pattern that it had introduced at its fifteenth session. Concluding comments would contain an introduction; a section on factors and difficulties, as appropriate; a section on positive aspects organized in the order of the articles of the Convention on the Elimination of All Forms of Discrimination against Women; and a section identifying principal areas of concern, described in order of the importance of each particular issue in the State party under consideration. The final part of the comments, the recommendations and suggestions section, would provide concrete suggestions from the Committee with regard to the problems identified in the comments.

Decision 16/II. Non-governmental organizations

The Committee decided to invite the United Nations Secretariat to facilitate an informal meeting with non-governmental organizations outside the regular meeting time of the Committee. During that meeting, non-governmental organizations would be invited to offer country-specific information on the States parties to be reviewed by the Committee. The Committee recommended that States parties consult national non-governmental organizations in the preparation of their reports required by article 18 of the Convention. It recommended that international non-governmental organizations and United Nations agencies, funds and programmes be encouraged to facilitate attendance at Committee sessions by representatives of national non-governmental organizations. It also recommended that specialized agencies and other United Nations entities with field representation work with non-governmental organizations to disseminate information on the Convention and on the work of the Committee and to call upon past and present experts of the Committee to participate in those efforts.

Decision 16/III. Reports of States parties

In order to address the backlog of reports awaiting consideration and to encourage States parties to report in a timely fashion, the Committee decided, on an exceptional basis and as a temporary measure, to invite States parties to combine a maximum of two of the reports required under article 18 of the Convention.

B. Suggestions

Suggestion 16/1. Technical and advisory services

The Committee suggested that the budget of the Centre for Human Rights of the United Nations Secretariat for technical and advisory services be made available to promote the Convention and the work of the Committee, and to facilitate seminars on such issues as reservations. A small working group of Committee members would be convened at its seventeenth session to conceptualize

those seminars and, inter alia, to examine funding requirements. The Committee further recommended that the expertise of its past and present experts be drawn upon in that connection.

Suggestion 16/2. Pre-session working group

The Committee proposed that, starting from its seventeenth session, its pre-session working group be convened at the end of the session prior to the one at which selected States parties would report in order to provide States parties presenting periodic reports with the Committee's questions well in advance.

II. ORGANIZATIONAL AND OTHER MATTERS

A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women

1. On 31 January 1997, the closing date of the sixteenth session of the Committee on the Elimination of Discrimination against Women, there were 155 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention will be contained in annex I to Part II of the 1997 report of the Committee (A/52/38 (Part II)).

B. Opening of the session

3. The Committee on the Elimination of Discrimination against Women held its sixteenth session at United Nations Headquarters from 13 to 31 January 1997. The Committee held 24 plenary meetings (310th to 333rd), and its two working groups held 7 meetings.

4. The session was opened by the Chairperson of the Committee, Ms. Ivanka Corti (Italy), who had been re-elected at the fourteenth session of the Committee, in January 1995.

5. In her opening statement, Ms. Angela E. V. King, Director of the Division for the Advancement of Women, welcomed the new members of the Committee elected at the ninth meeting of the States parties to the Convention, in February 1996, and congratulated the five new members who had been elected at that meeting. She expressed her gratitude to the experts whose terms had ended in 1996.

6. She said the sixteenth session of the Committee came at an important time in the life of the United Nations, just after the appointment of the new Secretary-General and at the beginning of the year that marked the fiftieth anniversary of the Commission on the Status of Women. It also came after an important cycle of United Nations conferences that had solidified links among all parts of the United Nations system, Member States, civil society and non-governmental organizations, setting the stage for further consolidating action and implementation by those actors.

7. She stated that the Committee was encouraged by the steady increase in the number of States that had ratified or acceded to the Convention; that number had reached 155, making universal ratification by the year 2000 an achievable goal. She explained that although the Convention continued to be subject to a large number of reservations, some of which were far-reaching, progress had also been achieved in that regard. She referred to General Assembly resolution 51/68 of 12 December 1996, in which the Assembly urged States to limit the extent of any reservation they lodged to ensure that no reservations were incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and to review their reservations regularly, with a view to withdrawing them. Referring to the Committee's meeting time as provided in article 20, paragraph 1, of the Convention, she recalled that the General Assembly, in its resolution 50/202 of 22 December 1995, had approved an

amendment to that article which was subject to the approval of two thirds of the States parties to the Convention. As at 10 January 1997, 11 States parties had accepted the amendment. She further explained that in its resolution 51/68, the General Assembly had approved the Committee's holding, in the interim, two sessions annually, each of three weeks' duration. She informed the Committee that that arrangement would begin with the seventeenth session of the Committee, which would be held from 7 to 25 July 1997, preceded by a pre-session working group from 30 June to 3 July 1997.

8. The Director described positive steps that were being taken by the Secretariat, including encouraging States parties that had not submitted reports to the Committee to do so in a timely fashion and measures that would encourage States parties to act in the spirit of the Platform for Action adopted by the Fourth World Conference on Women and regularize their reporting obligations by the year 2000. She also indicated that concrete efforts continued to be made to develop a complaints mechanism in the form of an optional protocol to the Convention. She recalled that at its fortieth session, in 1996, a parallel open-ended working group of the Commission on the Status of Women had discussed the elements of such a protocol, on the basis of suggestion 7 made by the Committee at its fourteenth session, in 1995. The working group would continue its work at the Commission's forty-first session.

9. Under agenda item 8, she proposed that the Committee take up, in a preliminary way, the revised draft of the rules of procedure, which would then be taken up in detail at its seventeenth session. The Committee, at its present session, would discuss the question of the Committee's relations with non-governmental organizations and the working methods of the Committee. It would also be considering its working relations with other human rights treaty bodies, special thematic rapporteurs, including the Special Rapporteur on violence against women, its causes and consequences, and country rapporteurs. She wished the Committee well in its efforts to monitor the implementation of the Convention and to develop general recommendations as an important tool, noting that at the present session it would continue its drafting of a general recommendation on articles 7 and 8.

C. Attendance

10. All members of the Committee attended the sixteenth session, with the exception of Ms. Desiree P. Bernard, Ms. Sunaryati Hartono and Ms. Kongit Sinegiorgis. Ms. Mervat Tallawy attended from 17 to 31 January, Ms. Ginko Sato from 19 to 31 January and Ms. Yung-Chung Kim from 13 to 17 January 1997.

11. A list of the members of the Committee, together with an indication of the duration of their term of office, will appear in annex II to Part II of the 1997 report of the Committee (A/52/38 (Part II)).

D. Solemn declaration

12. At the opening of the sixteenth session, before assuming their functions, the newly elected members, Ms. Ayse Feride Acar (Turkey), Ms. Yolanda Ferrer Gómez (Cuba), Ms. Aída González Martínez (Mexico), Ms. Yung-Chung Kim (Republic of Korea) and Ms. Anne Lise Ryel (Norway), and five of the six re-elected members, Ms. Carlota Bustelo (Spain), Ms. Silvia R. Cartwright (New Zealand), Ms. Salma Khan (Bangladesh),

Ms. Ahoua Ouedraogo (Burkina Faso) and Ms. Hanna Beate Schöpp-Schilling (Germany), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee. Owing to her absence from the sixteenth session, Ms. Kongit Sinegiorgis (Ethiopia) was unable to make the solemn declaration.

E. Election of officers

13. At its 310th meeting, on 13 January 1997, the Committee elected the following officers for a term of two years (1997-1998) by acclamation, in accordance with article 19 of the Convention on the Elimination of All Forms of Discrimination against Women and rules 13 and 14 of the Committee's rules of procedure: Ms. Salma Khan (Bangladesh), Chairperson; Ms. Charlotte Abaka (Ghana), Ms. Carlota Bustelo (Spain) and Ms. Miriam Estrada (Ecuador), Vice-Chairpersons; and Ms. Aurora Javate de Dios (Philippines), Rapporteur.

F. Adoption of the agenda and organization of work

14. The Committee considered the provisional agenda and organization of work (CEDAW/C/1997/1) at its 310th meeting, on 13 January 1997. The agenda as adopted was as follows:

1. Opening of the session.
2. Solemn declaration by the new members of the Committee.
3. Election of officers.
4. Adoption of the agenda and organization of work.
5. Report of the Chairperson on the activities undertaken between the fifteenth and sixteenth sessions of the Committee and consideration of the report of the seventh meeting of persons chairing the human rights treaty bodies and action taken by the General Assembly concerning treaty bodies.
6. Consideration of reports submitted by States parties and article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
7. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
8. Ways and means of expediting the work of the Committee.
9. Provisional agenda for the seventeenth session.
10. Adoption of the report of the Committee on its sixteenth session.

G. Report of the pre-session working group

15. The Committee had decided, at its ninth session,[1] to convene a pre-session working group for five days before each session to prepare lists of questions relating to second and subsequent periodic reports that would be considered by

the Committee at the session. The Committee decided that its members should submit to the Secretariat the draft questions on specific countries and articles of the Convention prior to the meeting of the working group.

16. The Committee decided at its fifteenth session[2] that the following four members representing different regional groups would participate in the working group:

Ivanka Corti (Europe)

Tendai Ruth Bare (Africa)

Aurora Javate de Dios (Asia and the Pacific)

Miriam Estrada (Latin America and the Caribbean).

17. In accordance with the provisional agenda of the Committee (CEDAW/C/1997/1), the working group prepared lists of issues and questions for five States parties' reports to be sent to the following Governments: Canada, Denmark, Philippines, Turkey and Venezuela.

18. The pre-session working group noted that the majority of the reports it reviewed followed the Committee's guidelines for the presentation of reports. This allowed the working group to assess the progress made by States parties in implementing the Convention since the State's previous report to the Committee. The working group appealed to States parties to continue to follow the Committee's guidelines for the presentation of reports so as to expedite the work of the pre-session group and to allow it to analyse the progress of individual States parties in greater depth. The group also noted that the majority of the reports to be reviewed by the pre-session working group had been prepared prior to the Fourth World Conference on Women. Thus, the revised reporting guidelines provided by the Committee and revised at its fifteenth session did not apply. Nevertheless, the pre-session working group took the opportunity to raise questions relating to the implementation of the Beijing Declaration and Platform for Action and the commitments undertaken by each State party during the Conference.

19. At the 320th meeting, on 20 January 1997, the Chairperson of the pre-session working group introduced the report of the group (CEDAW/C/1997/CRP.1 and Corr.1), indicating that questions regarding reports had been submitted by Committee members. She regretted the fact that not all members had taken the opportunity to submit written questions in advance and stated that that procedure was important for the formulation of concluding comments and that it enhanced the work of the group, which met for only a short time.

20. The Chairperson of the working group indicated that most States parties had followed the Committee's guidelines, but recommended that States parties that had not followed them be requested to do so when next reporting. She also made it clear that some progress in implementation could be discerned in the periodic reports.

21. The Chairperson of the working group made it clear that the working group had been given full support by the Secretariat and drew the Committee's attention to the discussion the working group had had with the Director of the Division for the Advancement of Women concerning the methods of work of the group. She noted that the Secretariat would, in future, integrate questions sent by experts and classify them in advance, which would allow the group to discuss implementation in greater depth.

22. The Chairperson suggested that at future sessions, the pre-session working group might meet with non-governmental organizations to conduct a thematic discussion on a particular area. She suggested that Working Group I should discuss the role of the pre-session, in particular given that the Committee would now have two sessions per year. She suggested that reports for consideration by the Committee would now need to be identified two sessions in advance and that it might well be more appropriate for the pre-session to be held at the end of the previous session, as is the practice of some other human rights treaty bodies. In addition, she raised the question of specialization of Committee members and the use of concluding comments in future consideration of implementation of the Convention in individual States parties.

23. A number of members of the Committee commented on the suggestions put forward by the Chairperson of the working group. One member suggested that if the group met at the end of the previous session, the work of the States parties and non-governmental organizations would be facilitated and a dialogue could be entered into with States parties.

24. One member suggested that there was no reason to employ different procedures for initial and periodic reports. Other members suggested that the most difficult task was to compare first and periodic reports. Another suggested that the pre-session working group, which met before the current session, should have reviewed reports selected for consideration for the July session, as that would allow for richer questions from the Committee, give non-governmental organizations an opportunity to intervene and States parties time to answer the questions. It was stressed that as the working group consisted of only four members of the Committee, all other Committee members should send their questions with regard to periodic reports well in advance so that they could be integrated by the Secretariat. She also urged the dispatch of non-governmental organization reports well in advance.

25. The Chairperson of the pre-session working group explained that in previous sessions the Committee had decided not to consider initial reports in the working group because it was important to establish a direct constructive dialogue with the State party. She noted that the Committee's concluding comments facilitated the maintenance of that dialogue and urged that those formulated at the current session should follow the articles of the Convention and be as complete as possible. She noted that the concluding comments were an invaluable basis for the consideration of the subsequent report of the States parties.

26. A number of members suggested that the pre-session working group should continue to review periodic reports only and not initial reports. Several also urged the development of specialization among Committee members, making it clear that specialization would not preclude general discussion. Support was expressed for specialization, and it was suggested that experts should identify annually the area in which they wished to specialize.

27. Other members urged that reports be selected 12 months in advance of consideration and that they be considered by a working group at the session prior to the one at which they are to be considered by the Committee. In that context, one member suggested that the analysis of reports provided by the Secretariat be simplified and that they contain the text of reservations entered by the State party concerned, amendments and withdrawal notices and the concluding comments of the Committee and other treaty bodies with regard to the State.

28. It was noted that the Committee required more organized procedures and that steps were needed to ensure that questions for the State party concerned were sent well in advance so that written replies could be provided, allowing the Committee duly to discuss issues with the State party. Some members noted that the Committee was a large one and that members should speak once, rather than repeating questions already posed. The Committee concluded that the issues raised were properly the province of Working Group I, but that if a decision were made to change the procedures of the Committee, some bridging measures would be required. In that context, it was suggested that the guidelines for reporting might warrant revision, as might the Committee's methods of work.

H. Composition and organization of work of the working groups

29. At its 311th meeting, on 13 January 1997, the Committee agreed on the composition of its two standing working groups: Working Group I, to consider ways and means of expediting the work of the Committee, and Working Group II, to consider ways and means of implementing article 21 of the Convention.

30. Working Group I was composed of the following members of the Committee: Ivanka Corti, Miriam Estrada, Yolanda Ferrer Gómez, Aída González Martínez, Salma Khan, Ahoua Ouedraogo, Hanna Beate Schöpp-Schilling and Lin Shangzhen.

31. Working Group II was composed of the following members of the Committee: Charlotte Abaka, Ayse Feride Acar, Emna Aouij, Tendai Ruth Bare, Carlota Bustelo, Silvia R. Cartwright, Ivanka Corti, Aurora Javate de Dios, Yolanda Ferrer Gómez, Aída González Martínez, Anne Lise Ryel, Carmel Shalev, Yung-Chung Kim and Salma Khan.

III. REPORT OF THE CHAIRPERSON ON THE ACTIVITIES UNDERTAKEN BETWEEN THE FIFTEENTH AND SIXTEENTH SESSIONS OF THE COMMITTEE

32. The former Chairperson of the Committee, Ms. Ivanka Corti, reported on her activities as Chairperson since the fifteenth session of the Committee. She also reflected on developments with regard to the Committee which had occurred during the four-year period of her chairpersonship.

33. Ms. Corti indicated that since the fifteenth session she had participated in the celebration of International Women's Day at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO), where she took part in a round table on violence against women in all its forms. She also participated in a seminar on violence against women hosted by the French Ministry of Justice, held from 8 to 10 March 1996. Moreover, she participated in two training sessions at the International Labour Organization (ILO) International Training Centre in Turin, as well as conferences of non-governmental organizations in Venice and Tunis.

34. Ms. Corti also attended the fortieth session of the Commission on the Status of Women as an observer, and in particular, the meetings, held parallel to the open-ended working group on the draft optional protocol, which she described to the members of the Committee. She indicated that both the Commission on the Status of Women and the Economic and Social Council had adopted resolutions providing for the attendance of a member of the Committee as a resource person at the meetings of the optional protocol working group at the forty-first session of the Commission.

35. Ms. Corti briefed members of the Committee on the meeting of persons chairing human rights treaty bodies held at the Centre for Human Rights in September 1996, at which she had also been elected chairperson. Topics discussed at the meeting included the relationship of specialized agencies and other United Nations bodies with treaty bodies and the role of non-governmental organizations in the work of those bodies.

36. Ms. Corti discussed the steps she had taken during the year to promote links between the Committee on the one hand and the specialized agencies and other bodies of the United Nations system on the other. She and three other members of the Committee had participated in a joint meeting with the Committee on the Rights of the Child sponsored by the United Nations Children's Fund (UNICEF) held at Cairo from 18 to 20 November 1996. The meeting constituted an important step towards strengthened cooperation among the human rights treaty bodies. The former Chairperson also reported on the meeting with Ms. Carol Bellamy, Executive Director of UNICEF, at which concrete proposals for future cooperation with the Committee were put forward.

37. Ms. Corti reminded the Committee of the suggestion she had made to Dr. Nafis Sadik, Executive Director of the United Nations Population Fund (UNFPA), following the International Conference on Population and Development that UNFPA should work with the Committee to consider the human rights implications of the Conference's Programme of Action and its relevance to the work of the Committee and the human rights treaty bodies. Those suggestions resulted in the Round Table on Approaches of Human Rights Treaty Bodies Towards Women's Health, with a Focus on Reproductive and Sexual Health Rights, co-sponsored by UNFPA, the Division for the Advancement of Women, the United Nations High Commissioner for Human Rights and the Centre for Human Rights, held

at Glen Cove, New York, from 9 to 11 December 1996. This was the first such meeting of chairpersons of treaty bodies on thematic issues. It was followed by further discussions between Dr. Sadik and members of the Committee. Ms. Corti also commended the steps that had been taken by the United Nations Development Fund for Women (UNIFEM) to promote both the Convention and the Committee.

38. Expressing the view that she had felt honoured to represent such an extraordinary committee of women devoted to the defence of women's human rights, Ms. Corti recalled that when she first assumed the chairpersonship of the Committee, measures were needed to make the Convention and the Committee better known. The Vienna, Cairo and Beijing conferences had provided an important framework for that work. She pointed to the various achievements of the Committee during this period, beginning with the formulation, with UNESCO, of the manifesto "Towards a Gender-inclusive Culture through Education". She reminded members of the extraordinary one-week session organized by a State party (Spain) in May 1995, and the amendment to article 20 (1) of the Convention. She noted the growing interest of non-governmental organizations in the work of the Committee, specifically mentioning the participation of a number of Committee members in workshops at the Non-governmental Organization Forum of the Fourth World Conference on Women and the work of the International Women's Rights Action Watch, the International Human Rights Law Clinic of the City University of New York Law School and the International Human Rights Law Group in promoting the Convention and supporting the work of the Committee. She also described in that context the Round Table on Women's Health as a Human Right, organized by the Commonwealth Medical Association at Toronto in October 1996, in which members of the Committee participated.

39. Ms. Corti drew attention to developments in various areas of the Committee's work during her chairpersonship. She noted in particular general recommendation 21 on equality in marriage and family relations and the fact that the Committee had updated its reporting guidelines at its fifteenth session to take account of the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women in September 1995.

40. Ms. Corti congratulated Ms. Khan on her election as Chairperson and noted that her task would be a challenging one. She reminded members that the Committee would now meet twice yearly and that its work required rationalization. Steps needed to be taken to reduce the backlog of reports awaiting consideration by the Committee and to establish permanent relations with non-governmental organizations and encourage their greater involvement in the Committee's work. The new rules of procedure required finalization, and a permanent relationship needed to be forged with the non-treaty human rights mechanism, and in particular, with the Special Rapporteur on violence against women. She noted the importance of the establishment of the Women's Rights Unit in the Division for the Advancement of Women and the appointment of the Chief of that section, whom she encouraged to maintain close links with the Chairperson of the Committee.

41. Finally, Ms. Corti thanked current and former Committee members, the members of the Division for the Advancement of Women and the staff of the Centre for Human Rights, non-governmental organizations and the various academics who had contributed to the popularization and appreciation of the Convention. In conclusion, she expressed appreciation for the solidarity of all women, which was fundamental to the Committee's success.

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

A. Introduction

42. At its sixteenth session, the Committee considered the reports submitted by eight States parties under article 18 of the Convention: two initial and one combined initial, second and third periodic report; one combined second and third periodic report; two third periodic reports; and two combined third and fourth periodic reports. The Committee also considered one report submitted on an exceptional basis.

43. As decided at its thirteenth session, in 1994, the Committee prepared concluding comments on each report considered.

44. The Committee's concluding comments on the reports of States parties, as prepared respectively by the members of the Committee, and a summary of the introductory presentations by the representatives of the States parties are provided below. The summary records provide more detailed information on the Committee's consideration of reports of the States parties.

B. Consideration of reports

1. Initial reports of States parties

Morocco

45. The Committee considered the initial report of Morocco (CEDAW/C/MOR/1) at its 312th, 313th and 320th meetings, on 14 and 20 January 1997.

46. In introducing the report, the representative of Morocco informed the Committee that Morocco's initial report had been submitted to the Secretariat in July 1994 in accordance with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, one year after Morocco had acceded to the Convention. King Hassan II had taken the initiative in 1992 and had invited various women's associations to submit amendments to the existing Personal Status Code in order to eliminate the obstacles impeding Moroccan women from the enjoyment and exercise of their rights. A number of articles of the Personal Status Code were amended accordingly and in conformity with various international agreements and instruments, while the Code maintained its respect for the principles of Islamic law, the shariah.

47. The representative pointed out that the initial report described institutional, legal, administrative and other measures taken to promote and protect the human rights of women within an overall political and legal framework. The Government of Morocco linked the status of women to human rights and recognized the inseparable links between the respect for human rights, democracy and social, economic and cultural development. The human rights protection aspects of the elimination of discrimination against women and the advancement of women were transferred from the social affairs ministries to the Ministry of Human Rights, which was working in cooperation with other ministerial departments on these issues.

48. The Constitution, revised in 1992 and 1996, now contained provisions intended to ensure a greater respect for human rights in general and for the

human rights of women in particular. The revised Constitution established a bicameral parliament and also allowed for the establishment of fact-finding commissions to address the elimination of discrimination against women. As a result of the reform of Morocco's family law, any case of discrimination against women could now result in legal proceedings.

49. The representative then briefed the Committee on legal and administrative measures that had been taken in his country to achieve equality between women and men within the framework of promotion and protection of women's human rights. The legislation relating to employment, as well as the Penal Code, had been modified. Efforts had been made, especially in the field of education and employment. The Government was concerned about the high rate of illiteracy among women, and it considered women in rural areas the most vulnerable group. A literacy campaign had therefore been launched with the goal of reducing the illiteracy rate to 10 per cent by the year 2010, specifically among rural women. However, while all citizens had an equal right to education and employment, pursuant to article 13 of the Constitution, the representative acknowledged that there existed a number of statutory exceptions that excluded women from entering certain professions.

50. In concluding his presentation, the representative of Morocco recognized that there were still a number of barriers preventing women from exercising and enjoying their human rights and participating fully in the socio-economic development of the country, but he assured the Committee of his Government's willingness to pursue the task of eliminating all such obstacles.

Concluding comments of the Committee

Introduction

51. The Committee thanked the State party for its report, which had been submitted on time. It noted, however, that the format of the written report had not adhered to the Committee's guidelines. The State party had nevertheless established a frank and constructive dialogue with the Committee through its oral report and its replies.

Factors and difficulties affecting the implementation of the Convention

52. The Committee was of the view that, although the instrument of ratification of the Convention by the Kingdom of Morocco was in itself an important event, the fact that it had been accompanied by declarations and reservations concerning the substance of the Convention seriously hindered the latter's implementation.

53. The Committee noted the obvious contradictions between the obligations deriving from the undertaking made by the State party at the time of signing the Convention and the persistence of considerable discrimination against women in Morocco, particularly in the field of family law.

Positive aspects

54. The Committee noted with satisfaction the revision of the Constitution, which strengthened the rule of law in Morocco by solemnly proclaiming the country's commitment to internationally recognized human rights.

55. The Committee believed that that undertaking by the State would inevitably benefit women, since women's rights were an integral part of human rights.

56. The Committee noted with satisfaction that the women's unit set up within the Ministry of Human Rights was involved in the overall process initiated by Morocco in that regard.

57. The Committee welcomed the efforts made by the State party to revise and amend the Personal Status Code (Moudouana). Those preliminary efforts reflected the political determination of the State party, at the highest level, to further the development of the legal status of women.

58. The Committee noted with satisfaction the emergence of a women's movement which had managed to give expression to women's demands and to give their concerns a national dimension.

Principal areas of concern

59. The Committee was deeply concerned at the number and importance of the reservations made by Morocco, particularly the reservation to article 2, one of the Convention's central articles. The Committee considers any reservation to that article to be contrary to the object and purpose of the Convention and incompatible with international law. The Committee was likewise concerned that the combination of reservations to articles 2 and 15 leave no room for evolving concepts of Islamic law.

60. The Committee noted with regret that the State party did not envisage withdrawing any of its reservations.

61. The Committee also noted that, unlike other international treaties, the Convention had not been mentioned, publicized or published in the Official Gazette.

62. The Committee expressed regret that there was no specific women's rights machinery that could coordinate and guide activities and projects for women in order to improve and better inform women of their rights.

63. The Committee expressed concern that, despite the efforts made in the political sphere, women's representation at the policy-making level was minimal.

64. The Committee emphasized that cultural characteristics could not be allowed to undermine the principle of the universality of human rights, which remained inalienable and non-negotiable, nor to prevent the adoption of appropriate measures in favour of women. As a result, the Committee remained concerned at the profound inequalities affecting the status of women in Morocco. Considerable discrimination in the areas of marriage, conjugal relations, divorce and the custody of children still exists. Laws regarding the punishment of adultery and the ability to pass on nationality continue to benefit the husband to the detriment of the wife.

65. The Committee emphasized that discrimination was not limited to the private sphere but also affected the public realm. Blatant inequalities could be observed in women's recruitment, wages and leave entitlements, as well as in legal restrictions on women's, but not men's, employment, which reflected stereotypical attitudes regarding appropriate work for women.

66. The Committee noted with concern that no legislation was envisaged to protect women against all forms of violence. The Committee was also surprised that the report made no mention of article 6 of the Convention, which concerned prostitution.

67. The Committee was concerned at the high rate of female illiteracy, which affected girls and rural women in particular.

68. The Committee noted with concern the high rate of maternal mortality in Morocco, the high number of unattended births, the unavailability of safe abortion and the need to develop further reproductive and sexual health services, including family planning.

Suggestions and recommendations

69. The Committee recommended that the State party incorporate the principle of equality between men and women into all spheres of life and into the Constitution, and that it bring the Constitution into line with the relevant international norms of the Convention.

70. The Committee expressed the hope that the Government would envisage, through the political will of its leaders, the progressive withdrawal of the many reservations that were seriously undermining the proper implementation of the Convention.

71. The Committee strongly recommended that the Government continue its efforts to amend legislation that was still discriminatory in order to bring it into line with the provisions of the Convention. While respecting the stages in Morocco's political, economic, sociological and cultural evolution and the need for the population to support any reform concerning women's rights, the Committee encouraged the Government to persevere in using ijtihad, which was the evolving interpretation of religious texts so as to give the necessary impetus to the improvement of the status of women and thus gradually to change attitudes.

72. The Committee recommended the establishment of specific machinery located at the highest policy level, with adequate financial and human resources, that would coordinate and guide action in favour of women, would be able to prevent the persistence of attitudes, prejudices and stereotypes that discriminate against women and would narrow the gap between de jure and de facto equality.

73. The Committee further recommended that education in women's rights, covering national and international legislation, be provided in all schools and university systems and to women's associations and non-governmental organizations, as well as in rural areas.

74. The Committee recommended that the competent national bodies, the women's sections of the different political parties and associations and non-governmental organizations do their utmost to bring about as great a change in men's traditional role in the family and in society as in women's, so as to ensure genuine equality of opportunity between men and women in all spheres. It observed that revising the content and orientation of school textbooks in order to eliminate stereotypes and negative images of women could help to speed up a change of mentality and remove certain obstacles.

75. The Committee also asked the Government to pay particular attention to vulnerable groups, women heads of household, abandoned women and disabled women, and to take the necessary steps to protect them from any form of exclusion or marginalization. Overcoming inequality contributed to poverty reduction and to the country's economic development.

76. The Committee recommended to the Government that appropriate, effective measures be taken to reduce both the illiteracy rate and the maternal mortality rate, which were high in rural areas.

77. The Committee urged the Government to address the issue of violence against women, to adopt the necessary measures to overcome this phenomenon and to establish support services for victims of violence, in both urban and rural areas, in accordance with general recommendation 19.

78. The Committee strongly recommended that the Government take special measures to reduce maternal mortality rates and protect women's right to life by ensuring full and timely access of all women to emergency obstetric care.

79. The Committee recommended that the Government review existing restrictions on women's access to employment, particularly those based on stereotypical assumptions concerning women's work.

80. The Committee requested the Government of Morocco to address the concerns included in the present comment in its next report, to include information on the implementation of the Committee's general recommendations and to follow the Committee's reporting guidelines carefully, including with regard to the follow-up to the Beijing Platform for Action. It requested the Government to provide statistical data disaggregated by sex with regard to all areas in the Convention in its next report. In particular, it requested the wide dissemination of this comment throughout Morocco.

Slovenia

81. The Committee considered the initial report of Slovenia (CEDAW/C/SVN/1) at its 314th, 315th and 321st meetings, on 15 and 20 January 1997.

82. The report was introduced by the Permanent Representative of Slovenia, who emphasized the importance his Government attaches to the international human rights treaties and in particular to the Convention on the Elimination of All Forms of Discrimination against Women, and expressed its support for an early adoption of the optional protocol to the Convention.

83. The Director of the Office for Women's Policy of Slovenia then proceeded to provide an update of Slovenia's initial report, submitted to the Secretariat in 1993 in accordance with article 18 of the Convention. She noted that the report had been prepared during a period of economic and political restructuring by the Office and in cooperation with the responsible ministries and other institutions, including non-governmental organizations. The impact of the transition on women could not yet be fully assessed, but Slovenia had prepared an updated report as an appendix to the initial report, which it had submitted to the Committee early in 1997. The information provided in that document allows some initial assessment in this regard.

84. The Committee was informed that the Office for Women's Policy had been created during the early stage of transition from socialism to parliamentary democracy. It had been established by the Government in July 1992 as the central policy coordinating unit of the Government responsible for implementing the rights of women guaranteed by the Constitution, laws and international agreements. The Office was an important step forward in the integration of the principle of gender equality into government policies.

85. The representative of Slovenia outlined the political, economic and legal situation in Slovenia and its impact on the de facto status of women. Slovenia is a country in transition which has preserved a relatively high degree of social protection in an environment of economic stability and growth. Unemployment and other problems of transition have affected women but to a lesser degree than men. The Committee took note of the general circumstances and focused on the specific issues pertaining to the questions of the rights of women. The Committee also took note of how the rights of women were guaranteed and protected by the Constitution, to what extent Slovene women were involved in political decision-making and how they had been participating in ongoing democratization.

86. The Government of Slovenia was particularly concerned about the prevalence of traditional gender stereotypes and certain forms of de facto discrimination against women. With regard to education, it was reported that while women enjoyed a high level of education in general, there were clear differences in what women and men preferred to study, with women concentrated in traditionally female subjects. Women, especially the young and educated, were facing difficulties in finding employment. The Slovene pension system benefited women and men differently. Women's generally lower pensions were a reflection of the lower-paid sectors in which women were employed and the frequent leave they took in order to care for their children. Despite the law that guarantees the right of both parents to take parental leave, fathers still failed to play an equal role in the care and education of children. With regard to women's reproductive health, it was noted that the right to abortion was guaranteed by the Constitution, however, the Committee was alerted to the high rate of abortion, despite the wide and legal availability of contraception and contraceptive advice.

87. In concluding the presentation, the representative of Slovenia recognized that much remained to be done to achieve full equality between women and men, and assured the Committee of the willingness of her Government to undertake all the necessary measures to achieve the principles established in the Convention.

Concluding comments of the Committee

Introduction

88. The Committee welcomed the high-level representation of the Government of Slovenia and applauded the fact that, after gaining its independence, the Government had quickly accepted the international human rights obligations assumed by the former Socialist Federal Republic of Yugoslavia. It commended the Government for its timely submission of a well-structured, informative and honest report, which followed the reporting guidelines of the Committee and gave a frank picture of the situation of women in Slovenia. It also welcomed the additional collection of statistical data, which were comprehensive in certain areas and were disaggregated by sex, as well as the extensive answers to the Committee's questions, which were given in both oral and written form. The Committee also took note of the support of the Government of Slovenia to the formulation of an optional protocol to the Convention and applauded the fact that an action plan was being prepared to implement the Beijing Platform for Action.

Factors and difficulties affecting the implementation of the Convention

89. The Committee was aware of the difficulties Slovenia was facing as a result of the transition towards democracy and a social/market economy and the need to build a different civil society. Many of those difficulties could and did have a negative impact on the situation of women in Slovenia and thus impeded the legal and practical implementation of the Convention. The Committee was also aware that sex-role stereotypes relating to the nature of women and men and the "appropriate" work for each sex were pervasive in Slovene society. Those stereotypes had not been questioned under the former political system, despite its adherence to formal equality between women and men.

Positive aspects

90. The Committee welcomed the sensitivity towards gender issues expressed by the Government of Slovenia and by certain sectors of the newly emerging civil society, in particular in the number of non-governmental organizations for women.

91. The Committee noted with satisfaction the extensive human rights guarantees in the Slovene Constitution, in particular those guarantees relating to the human rights of women. It welcomed the fact that the Convention took precedence over national legislation. The immediate effect of the Convention in the Slovene legal system and legislation providing women with de jure equality were welcomed by the Committee, as was the integration of human rights principles into its ongoing process of legislative reform and into its newly formulated policies.

92. The Committee commended the active role of the women's machinery, the Office for Women's Policy, founded in 1992, which operated as an independent government advisory service advising the Government on legislation, policies and programmes and which, through campaigns and programmes, sought to improve gender sensitivity in the population.

93. The Committee welcomed the efforts of the Government to eliminate stereotyped images of women in the media and in advertising, as well as the National Programme for Households, which aimed at helping young women and men to share work and family responsibilities in a non-stereotypical way.

94. The Committee noted that the Government of Slovenia was aware of the widespread violence against women in the private sphere and that it was developing, through its national machinery and by supporting non-governmental organizations that act on behalf of women, measures to combat that violence and to assist victims. It also commended the steps towards new legislation to protect prostitutes.

95. The Committee applauded the temporary special efforts of the Office for Women's Policies to raise public awareness and to introduce measures to increase women's representation in Parliament. It noted with satisfaction the high number of women in the judiciary and the promising figures of women's enrolment in the faculties of law at Slovene universities. It also noted the significant representation of women in high-level administrative jobs. It applauded the fact that a large number of non-governmental organizations for women had been formed in a relatively short time and the cooperation fostered by the Office for Women's Policies with non-governmental organizations, in particular during the preparation of the report and in the formulation of the National Platform of Action, the aim of which was to implement the Beijing Platform for Action.

96. The Committee commended the Government on the high level of women's education in Slovenia, on envisioned educational reforms and on the efforts that had been made to include human rights education at various levels of the school curriculum. It noted with satisfaction that courses in women's studies were offered at some universities and that research on the impact of the depiction of women in textbooks was being carried out.

97. The Committee took note of the existence of a formal day-care system that provides day care to slightly more than 50 per cent of children up to the age of six. The Committee welcomed the revision of the existing labour legislation and the formulation of new equality provisions in that legislative area. It also welcomed the fact that in labour legislation, the principle of equal pay for equal work and for work of equal value would be considered. It noted with satisfaction that a high percentage of women were employed. It welcomed the envisioned provisions against sexist language in job classifications and advertisements and noted with satisfaction the discussion of a legislative proposal on parental leave that would give a greater share of responsibility to fathers.

98. The Committee noted with satisfaction the inclusion of the right to abortion in the Constitution of Slovenia.

Principal areas of concern

99. The Committee was concerned that the Office for Women's Policies had an advisory role only and was, therefore, dependent on the political will of the Government. It was concerned that the human and financial resources of the Office might be too small considering the tasks it had to tackle.

100. The Committee also noted with concern the pervasiveness and entrenched nature of sex-role stereotypes and pointed to the risk that such stereotypes might be strengthened because of the difficult economic, social and cultural changes the population of Slovenia was facing. The Committee was of the view that one of the results of sex-role stereotyping was that women performed most of the household work and thus had a double burden of work.

101. Concern was also expressed as to whether the real extent of violence against women was being discovered and whether the current measures were sufficient not only to combat it, but also to assist its victims. The Committee was concerned that the Government should ensure that victims of violence receive support from the police, understanding of the dynamics of violence against women from judges, counselling and placement in shelters and, in particular, that they be assisted in rebuilding their lives.

102. The Committee noted with great concern that the number of women represented in politics was falling despite the various measures that had been undertaken in that sphere.

103. The Committee was concerned about the clustering of female students in certain disciplines, at both schools and universities, that did not provide optimum employment opportunities.

104. The Committee was concerned that less than 30 per cent of children under three years of age and slightly more than half of all children between three and six were in formal day care, and that the remaining children, while cared for by family members and other private individuals, might miss out on educational and social opportunities offered in formal day-care institutions.

105. The Committee noted with concern that women were clustered in certain jobs and professions and at certain job levels. It noted the feminization of the medical profession and the low wages in that sector. It was alarmed by the high number of young unemployed women who were looking for a first job and was aware that failure to find such employment might confine women to the role of homemaker. In that context, the Committee took account of the unfortunate fact that market economies tended to favour male employees who, by virtue of traditional roles and work allocation, were deemed to be unencumbered by family responsibilities.

106. The Committee was concerned that temporary work for women might be institutionalized and that women would thus be marginalized in the labour market and become victims of indirect discrimination. It was also concerned that occupational health standards for women might result in discrimination against women in employment.

107. The Committee noted with concern the very high number of abortions and the corresponding low use of contraception. Concern was also voiced with respect to the large numbers of single-parent families, which were usually headed by women.

Suggestions and recommendations

108. The Committee recommended that the ongoing revision of laws should take account of hidden, indirect and structural discrimination and that sufficient attention should be paid to the formulation of temporary special measures in the fields of politics, education, employment and the implementation of de jure and de facto equality for women. It recommended that the judiciary be made aware of the meaning of indirect and structural discrimination, de facto equality and the concept of temporary special measures.

109. The Committee suggested that the Government of Slovenia, as well as the non-governmental organizations for women, should be aware that the concept of privacy of family life and the reproductive role of women could be utilized to hide violence against women and reinforce sex-role stereotypes.

110. The Committee recommended the establishment of the proposed gender equality ombudsperson.

111. It recommended the establishment of a formal complaint procedure and a formal evaluation board outside the Chamber of Commerce, which would include all sectors of society, to address sexist advertisements. That procedure should incorporate sanctions against offending advertising agents.

112. The Committee recommended new efforts directed at the political education of women and men and of political parties in order to ensure more effective temporary measures that would increase the representation of women at all levels of political life.

113. The Committee suggested that the Government of Slovenia make systematic efforts to ensure that women students are encouraged to enter diverse disciplines so as to overcome the clustering of female students in certain disciplines at schools and universities. Such measures could include special counselling and gender-specific temporary measures with numerical goals and timetables. It also recommended that women's studies be formally established at universities and made part of the school curriculum. The Committee suggested that the Government of Slovenia review its gender-neutral educational framework

and develop positive measures to counteract hidden stereotypical educational messages and practices.

114. The Committee recommended the creation of more formal and institutionalized child-care establishments for children under three years of age as well as for those from three to six.

115. The Committee strongly recommended that revised labour legislation contain equality and anti-discrimination provisions and strong sanctions for non-compliance. It also recommended temporary special measures with concrete numerical goals and timetables in order to overcome employment segregation. The Committee strongly recommended the adoption of parental leave legislation in which part of the leave must be taken by the father.

116. The Committee encouraged the Government to create assistance programmes for women who wished to start their own businesses, to educate banks and other relevant institutions about women's capacities in that area, to create specific government-subsidized employment opportunities for young women and to address their unemployment with specific measures, including quotas related to their percentage of the unemployed population.

117. The Committee also recommended measures be put in place to expedite the collection of data in the health sector so as to provide the basis for legislation, policies and programmes.

118. The Committee recommended that current efforts to restructure the financial systems underlying health care and social security benefits, including pensions, should be designed to avoid detrimental effects on women as wage earners and beneficiaries in those sectors.

119. The Committee suggested that there was a need to analyse the reasons for the high rate of abortion among Slovene women. It strongly recommended education for women and men on the full range of safe and reliable contraceptive methods, stressing the mutual responsibility of both sexes for family planning as well as recommending that such methods be widely available.

120. The Committee recommended that education for sexual and reproductive health cover gender relations and violence against women and that health-care professionals also be trained to identify cases of violence against women and to treat them appropriately.

121. The Committee recommended increased measures for the early detection and the preventive treatment of breast cancer.

122. The Committee urged the wide dissemination of the present concluding comments in Slovenia to make Slovenes aware of the steps that had been taken to ensure de facto equality for women and the further steps that were required in that regard.

2. Combined initial, second and third periodic reports

Saint Vincent and the Grenadines

123. The Committee considered the combined initial, second and third periodic reports of Saint Vincent and the Grenadines (CEDAW/C/STV/1-3 and Add.1) at its 316th and 317th meetings, on 16 January 1997, and its 322nd meeting, on 21 January 1997.

124. In introducing the report, the representative of Saint Vincent and the Grenadines apologized that the report submitted to the Committee in 1992 (CEDAW/C/STV/1-3) had been sent owing to an administrative error. The representative requested that the report submitted to the Committee in 1994 (CEDAW/C/STV/1-3/Add.1) be considered as the principal report. She further indicated her willingness to clarify statements in the document dated 4 November 1991 of the International Women's Rights Action Watch.

125. The representative indicated that a number of legislative reforms, including the Domestic Violence Act and the Equal Pay Act, had been implemented since the submission of the report in 1994. A Family Court and legal aid had been introduced within that period as well. The representative indicated that treaties were not self-executing in Saint Vincent and the Grenadines and, although there was no specific law against discrimination, a woman who was discriminated against might seek legal redress in the High Court under section 16 of the Constitution. The Convention on the Elimination of All Forms of Discrimination against Women had been seen as a major step in developing legally binding and internationally accepted principles aimed at achieving equal rights for women. Consequently the Government had introduced national legislation that conformed to the articles of the Convention.

126. The representative briefed the Committee on the administrative measures that had been taken to advance the status of women, including the establishment of a women's desk in 1984, which had subsequently been upgraded to the Department of Women's Affairs. The Department, along with the National Council of Women, was focused on establishing equality between women and men, proposing socially responsive legislation and implementing policies that favourably affected women.

127. The Government of Saint Vincent and the Grenadines expressed concern with regard to several important socio-economic issues, including youth unemployment, the high rate of female migration, decreased export earnings in the agricultural sector, the high rate of pregnancy among pre-teenagers and adolescents, traditional socio-cultural attitudes reflecting stereotyped gender roles and the prevalence of domestic violence.

128. The representative stated that, while all citizens had an equal right to education, employment, political participation and representation, obstacles remained for women in tertiary education and there was occupational segregation in the labour market. A gender gap also persisted in public sector employment, particularly at decision-making levels and in political life. Women experienced limited access to credit and land ownership, particularly in the rural areas, despite the fact that they represented a high percentage of the agricultural labour force.

129. In concluding her presentation, the representative of Saint Vincent and the Grenadines indicated that she eagerly anticipated questions that might be raised by the experts on the development of the status of women and pledged to take

appropriate actions on behalf of the women of Saint Vincent and the Grenadines and in keeping with their needs.

Concluding comments of the Committee

Introduction

130. The Committee expressed appreciation for the frank presentation of the combined initial, second and third reports. The oral presentation complemented the comprehensive written reports. The Government of Saint Vincent and the Grenadines was commended for being one of the first countries that had ratified the Convention, and had done so without reservation. The Committee expressed its satisfaction with the well-structured reports that followed the reporting guidelines. The report format, with full text of the articles, followed by relevant comments, was a good practice and made the report a very useful educational document. The report provided excellent data. However, the Committee regretted the lack of focus on how the status of women had progressed since the ratification in 1981 to date. It also regretted the delay in the presentation of the initial report. The report failed to make any reference to a follow-up to the Fourth World Conference on Women or commitments made. There was also no information on implementation of the Committee's general recommendations.

Factors and difficulties affecting the implementation of the Convention

131. Under the legal system of Saint Vincent and the Grenadines, the Convention is not self-executing and it was necessary to enact legislation to give it full effect. Pervasive traditional, social, and cultural values, as well as generally accepted behaviour patterns, impede the advancement of women.

Positive aspects

132. The Committee appreciated the Government's efforts to conform to the provisions of the Convention by introducing several legal reforms. It was also appreciated that the Government and non-governmental organizations were collaborating in the implementation of the Convention.

Principal areas of concern

133. Legal measures that had been taken did not address all aspects of the Convention. Some existing domestic laws contravened the Convention. The Committee regretted that the Constitution did not specifically refer to the equality of women. It also regretted that the Convention had never been cited in any legal proceedings.

134. The Committee noted with concern that the Government had not made use of affirmative action measures to accelerate the unequal status of women, particularly in the areas of employment and public service.

135. The non-availability of shelter homes, which also provided victims with counselling services, was of concern to the Committee. Again, the Committee was very concerned about the persistent traditional, stereotypical roles and attitudes towards women and girls. Moreover, domestic violence was rampant, a fact that was also of great concern to the Committee.

136. The Committee noted with concern that no research had been undertaken on the real situation concerning prostitution and trafficking in women.

137. The low participation of women in the political parties and as candidates for election was of great concern to the Committee.

138. Although the Convention on the Rights of the Child and human rights in general were part of the school curriculum, the Committee was concerned that the Convention on the Elimination of All Forms of Discrimination against Women was not taught in schools. The Committee was very concerned about the high rate of teenage and pre-teen pregnancy, which sometimes forced children to be mothers with very serious, negative consequences for their future, in particular, the interruption of their education.

139. The Committee was concerned about the very high rate of unemployment among women, which increased their vulnerability to domestic violence. It noted with concern that the Government had not made use of affirmative action to redress that problem. The Committee also expressed its concern about the feminization of migration.

140. The Committee was concerned that women had to seek spousal consent for tubal ligation. That contravened not only article 12, but also article 15 of the Convention. The Committee was also concerned that the law precluded safe abortion and prevented women from taking control of their reproductive health.

141. The Committee was concerned about the high rate of female migration outside Saint Vincent and the Grenadines and the consequences it created in society.

Suggestions and recommendations

142. There was a need to review all domestic laws with the aim of identifying which should be amended and what new laws should be enacted in order for women to enjoy fully all the rights provided for under the Convention.

143. Subsequent reports must give information on the implementation of the Committee's general recommendations and concluding observations and also on follow-up programmes for the implementation of the Fourth World Conference on Women.

144. The Committee also wanted to be apprised of the follow-up programmes to the Conference and the commitments made there by the Government of Saint Vincent and the Grenadines in relation to the implementation of the Convention.

145. The next report must indicate special measures that had been taken by the Government and the political parties to close the gap between de jure and de facto equality, particularly in the area of political decision-making and employment.

146. The next report should also provide more detailed information on prostitution and trafficking.

147. The Government, in collaboration with non-governmental organizations, churches and all individuals and competent authorities, should introduce gender-sensitive reproductive and sexual health education, information and counselling in order to curb the very high rate of pre-teen and teenage pregnancy and should integrate reproductive and sexual health services, including family planning, into primary health care.

148. The law on abortion should be reviewed with a view to removing the penal provisions and in order to guarantee safe abortion and motherhood.

149. Government and the private sector must work towards creating job opportunities to help keep women in Saint Vincent and the Grenadines so that they could better contribute to the development of society in general.

150. The Committee urged the wide dissemination of the present concluding comments in Saint Vincent and the Grenadines to make both women and men aware of the steps that had been taken to ensure de facto equality for women and the further steps that were required in that regard. In addition, the committee requested that the next report describe steps taken by the Government to implement the Beijing Declaration and Platform for Action.

3. Combined second and third periodic reports

Turkey

151. The Committee considered the combined second and third periodic reports of Turkey (CEDAW/C/TUR/2-3) at its 318th and 319th meetings, on 17 January 1997.

152. In her introductory statement, the representative of Turkey pointed out that the report had been prepared in a participatory way and reflected the contributions of different women's organizations. She placed women's status within the framework of globalization, which seemed to offer new hopes, but also the possibility of growing inequalities, including between women and men. She underlined that respect for the human rights of the individual, without cultural boundaries, and the concept of equal citizenship in a State governed by the rule of law continued to provide the most workable framework, as well as new opportunities, for achieving gender equality.

153. The representative noted that in Turkey, contradictions of globalization, modernization and traditionalism had an impact on the status of women in society. Constraints of underdevelopment and structural adjustment and of religious fundamentalism and claims based on ethnic rivalries presented sources of conflict with long-term prospects that may be unfavourable for the status of women.

154. While acknowledging continuing inequalities and disparities in the status of women, the representative highlighted progress and pointed to the development of a gender-sensitive agenda in Turkey. Supported by growing feminist and women's movements, women had become visible and had been expanding their sphere of action. The most arduous and urgent task facing the Government now was to respond to the demands of women, particularly the enhancement of their basic citizenship rights within a secular social order.

155. In Turkey, a secular country with a predominantly Muslim population, the equality of men and women was recognized in the Constitution and in statutes. While some discriminatory clauses in the Turkish Criminal and Civil Codes had been repealed in recent years, an overall reform of the Civil Code remained to be completed.

156. The Directorate General on the Status and Problems of Women had been established in 1991 and was attached to the Prime Ministry. Despite its limited staff and budget, the Directorate acted as the coordinating body vis-à-vis government institutions, networked with non-governmental organizations and

supported research and training. Gender issues were an integral part of Turkey's five-year development plan. While a number of special measures and initiatives had been introduced to strengthen women's active participation in development, more was needed to reach a larger number of women. Currently the establishment of the Under-Secretariat for Women's Affairs and Family was under way.

157. Among the challenges faced by Turkey in achieving women's equality, the representative identified the disparities in status and opportunities for urban middle-class and rural women; violence against women in the private domain; a strengthening of the contribution of the media to the advancement of women, including through an increase in the number of female professionals in this area; and the revision of educational materials, which continued to portray women in their traditional roles as mothers and wives. Likewise, women's participation in politics and in Parliament remained low, notwithstanding the introduction of quotas by political parties.

158. Disparities in socio-economic areas remained a great concern and included women's low literacy rates, their access to education and opportunities, as well as patterns of employment. Women's low status also affected their access to health services. Particular problems persisted for Turkey's rural women in eastern and southeastern Anatolia, who continued to live in traditional social frameworks and were affected by an ongoing armed conflict and whose access to opportunities and services remained severely limited.

159. At the Fourth World Conference on Women, Turkey committed itself to withdrawing all its reservations under articles 15 and 16 of the Convention by the year 2000, a step which requires the revision of a number of discriminatory laws contained in the Civil Code. Turkey also committed itself to achieving full literacy of women by the year 2000.

Concluding comments of the Committee

Introduction

160. The Committee expressed its appreciation to the Government of Turkey for its high-level delegation, which was headed by the Minister of State responsible for Women's Affairs and the Family, and the exhaustive replies and information provided by the Government in response to the questions of the pre-session working group.

161. The frankness of the assessment of the status of women, particularly in the oral presentation, and the acknowledgment of persisting inequalities and disparities, indicating the Government's willingness to confront the critical issues facing women in Turkey, was appreciated by the Committee. The Committee also noted with satisfaction that the Government of Turkey had expressed its support for the adoption of an optional protocol to the Convention.

162. The Committee also appreciated the well-structured, frank and detailed report, which followed its guidelines. The Committee expressed its satisfaction that, in the course of the dialogue with the Committee, the representatives of the State party had manifested the determined political will of the Government to implement the Convention progressively. At the same time, and in a self-critical manner, the representatives described the difficulties encountered in the implementation of policies and programmes consistent with the Convention.

Factors and difficulties for the full implementation of the Convention

163. The reservations to articles 15 and 16 of the Convention were regarded by the experts as serious impediments to the full implementation of the Convention in the State party.

164. The difficulties emanating from globalization, modernization and deeply rooted traditionalism interplayed strongly in the context of the status of women in Turkey. Being a secular country with a predominantly Muslim population, Turkey was experiencing pressures from various political groups. The Committee recognized the serious impact that those pressures had on the condition of women and that they served to perpetuate the existing inequality between women and men and hampered the de jure and de facto implementation of the Convention.

Positive aspects

165. The Committee noted that the consolidated second and third reports were prepared with the contributions of governmental institutions, specialists and academicians working on women's issues, women's groups, political parties, trade unions, representatives of the media and non-governmental organizations.

166. The distribution of the previous report to all institutions and persons concerned with women's human rights and the translation of the Convention into Turkish was welcomed by the Committee.

167. The Committee welcomed the information, reiterated in the excellent oral presentation of the delegation of the State party, relating to the draft law to amend the various articles of the Civil Code pertaining to family law, which would allow for the withdrawal by Turkey of its reservations.

168. The Committee also welcomed the information in the report relating to the Government's intention to revise the Citizenship Law.

169. The Committee further welcomed the decision of the Government of Turkey to conclude bilateral agreements with other countries that would permit Turkish citizens, women and men alike, to keep their citizenship upon marriage to a foreign national.

170. The Committee congratulated the Government for legally guaranteeing the equal right of girls and boys to free education and training. It also welcomed the recommendation of the fifteenth National Council of Education to increase compulsory and uninterrupted primary education to eight years and its decision to develop curricula and revise textbooks and teaching methods to be free of sex-based stereotypes and to eliminate gender-based prejudices from educational programmes.

171. Taking note of the extensive and detailed information and statistical data related to the situation of women in the field of employment, the Committee appreciated the fact that women were entitled to the same employment opportunities as men. It also welcomed the participation of women in the labour force in different economic activities.

172. The Committee took note of the impact of the micro-credit scheme in promoting women entrepreneurs.

173. The Committee also welcomed the commitments made by Turkey at the Fourth World Conference on Women to the effect that by the year 2000 it would:

(a) Reduce infant and maternal mortality rates by 50 per cent;

(b) Raise compulsory education to eight years;

(c) Eradicate female illiteracy;

(d) Withdraw the reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

Principal areas of concern

174. The Committee was deeply concerned about the reservations of Turkey to article 15, paragraphs 2 and 4, and article 16, paragraphs 1 (c), (d), (f) and (g). It was also concerned with the prolonged discussions and the resistance to the reform of the Civil Code, although it appreciated that efforts had been made in that context by the General Directorate, women members of Parliament and the Ministry of Justice. The Committee urged the State party to facilitate and hasten that process so that the Law on Citizenship, the Civil Code and the Criminal Code could be brought into conformity with the articles of the Convention.

175. The Committee expressed its concern that the General Directorate had no corresponding bodies at regional and local levels.

176. The Committee was concerned at the lack of an integrated and systematic approach by the national machinery and the relevant ministries to all areas covered by the Convention, in particular with regard to women in rural areas, vulnerable groups such as ethnic minorities, young women and women in prisons.

177. The Committee noted with deep concern various articles of the Penal Code, including those relating to the abduction of single and married women and to adultery, which were in contradiction to article 2, paragraph (f) of the Convention. In particular, it noted that greater penalties were imposed for the rape of a woman who was a virgin.

178. The Committee noted with the gravest concern the practice of forced gynaecological examinations of women in the investigation of allegations of sexual assault, including of women prisoners while in custody. The Committee emphasized that such coercive practices were degrading, discriminatory and unsafe and constituted a violation by state authorities of the bodily integrity, person and dignity of women.

179. The Committee was concerned about the provisions of the Penal Code that allowed less rigorous sanctions or penalties for "honour killings". That concept contravened the principle of respect for human life and the security of all persons, which was protected by all the international human rights laws.

180. The Committee deeply regretted that no special temporary measures had been put in place to redress the situation of Kurdish women, who suffered double discrimination.

181. The Committee was concerned by the pervasive violence, in all its forms, perpetrated against women and girls and the inadequacy of legal and educational measures to combat such violence. The Committee was concerned that neither its general recommendation 19 on violence against women nor the Declaration on the

Elimination of Violence against Women, adopted by the General Assembly in its resolution 48/104 of 20 December 1993, had been taken into consideration. The law categorizing violence as "crime against public decency and public order" contradicted the spirit of the Convention and contravened the dignity of the person.

182. The Committee was particularly concerned that juridical or educational measures that may have been undertaken by the State in pursuance of article 5, paragraph (a), in the context of violence within the family, had not been effective.

183. The Committee was concerned that sufficient appropriate measures had not yet been taken to prevent and combat the acceptance of male dominance and violence against women in rural as well as urban areas, as reflected in such practices as beating women and requiring silent obedience from them. Equally, there was a lack of concrete measures to prevent the high number of suicides among women victims of violence.

184. The Committee expressed its concern that spousal consent was required for abortion, a requirement it considered to be in contravention of article 15 of the Convention. The Committee also expressed its disapproval at the existence of brothels regulated by law and the lack of information and statistical data about the phenomenon.

185. The Committee was concerned that the Turkish political parties, trade unions and other public institutions were not sufficiently sensitive to the importance of the implementation of article 7 of the Convention and the need for representation in decision-making bodies, including Parliament and the Government, where the number of women was still very low.

186. The Committee was concerned about the Turkish Citizenship Law, which provided that a Turkish woman who decided to assume the nationality of her foreign husband could lose her Turkish nationality.

187. The Committee likewise expressed its concern at the high level of illiteracy among women and girls, especially in the rural areas, the drop-out rates of girls in schools owing to family practices, early marriages and the prioritization of boys in school enrolment and other gender-discriminatory practices in education. The clustering of women in higher education in areas regarded as suitable for women was also noted by the Committee.

188. The Committee considered with concern the very low minimum age for employment, which contravened relevant ILO conventions. The high level of unemployment of migrant urban female workers, the lack of measures to integrate them into the labour markets and the persistent occupational segregation in lower paid jobs impeded their upward mobility and further reinforced discrimination against women in the labour market.

189. The lack of legal literacy programmes to raise the awareness of rural women regarding their rights was also a matter of concern.

190. The Committee was particularly concerned at the high number of women in rural areas working in family enterprises, since their work was not recognized in the formal economy, they did not receive social security benefits and their access to health services was limited.

Suggestions and recommendations

191. The Committee requested the Government of Turkey to take steps to address the aforementioned principal subjects of concern and to reflect progress made in its next periodic report.

192. The Committee invited the Government to review the Civil Code, particularly with regard to family law, with a view to removing the reservations to the Convention. It also suggested that the related provisions of the Penal Code be revised in order to ensure women the full protection of the law on equal terms with men.

193. The Committee invited the Government of Turkey to educate women and men towards a culture of shared obligations and responsibilities of family work and the rearing of children. In addition, information and training efforts directed at both sexes were needed to stop the perpetuation of traditional attitudinal and behavioural patterns and to create awareness of women's rights as expressed in the Convention.

194. Serious efforts were required to address violence against women, especially domestic violence, through legislation and comprehensive, gender-sensitive awareness-raising and education for the public in general and for law enforcement agencies, such as judges, lawyers and police in particular. Battered women's shelters should be established and provided with adequate financial and human resources.

195. The practice of so-called honour killings, based on customs and traditions, was a violation of the right to life and security of persons and therefore must be appropriately addressed under the law. The Government was also invited to review in a critical manner the practice of virginity examinations in cases of alleged rape; likewise, it was invited to investigate whether coerced virginity examinations had been carried out on women in the investigation of sexual attacks or abuses or in any other circumstances.

196. The Committee requested the review of the requirement of spousal consent for abortion.

197. The media should be mobilized in support of advancing the status and the rights of women, including through non-sexist and non-stereotypical portrayal of women in the media and through programmes to address violence against women. Efforts to increase the number of women in the media, particularly in decision-making positions, should be intensified.

198. The situation of minority women needed to be monitored urgently, and a systematic effort was necessary to ensure for them their full legal rights guaranteed by the Convention.

199. Temporary special measures with numerical goals and timetables should be initiated in accordance with article 4, paragraph 1, of the Convention, in particular in the political sphere and the public sector.

200. Consideration should be given to the revision of the Citizenship Law in order to give women equal rights with men in all areas of nationality law.

201. Continuing support should be given to female students in order to increase the rate of female university graduates and their participation in non-traditional fields.

202. The Committee urged the Government of Turkey to take adequate measures to provide skills training, retraining and credit facilities or other support services that would provide employment opportunities or self-employment for urban migrant workers, to correct occupational segregation through concrete measures and to provide the necessary protection to working women to ensure their safety and healthy conditions of work.

203. Concrete training programmes aimed at increasing opportunities for women to make use of micro-credit programmes would also be necessary.

204. The Committee invited the Government of Turkey to take measures to recognize rural women's work in family enterprises for the purposes of pension entitlement. In addition, the Government should disseminate information in the Convention relating to rural women's rights.

205. The Committee requested the compilation of current data and statistics on family planning methods, the use of such methods by men and women and access to contraception disaggregated by age and sex.

206. The Committee urged the Government to disseminate widely copies of the Convention, the Committee's general recommendations and the present concluding comments and to translate those documents into local languages where necessary so as to ensure that all women have access to them. The Committee also requested the Government to address the concerns raised in this comment in its next report. The next report should likewise contain information on steps taken by the Government to implement the Beijing Declaration and Platform for Action.

4. Third periodic reports

Venezuela

207. The Committee considered the third periodic report of Venezuela (CEDAW/C/VEN/3) at its 323rd and 324th meetings, on 22 January 1997.

208. The representative of Venezuela explained that the third periodic report described implementation of the Convention from 1989 to 1995. It had been prepared after the Government was formed in 1994.

209. The representative emphasized that the third periodic report outlined the progress achieved by women in implementing the Convention during the period indicated. However, she stressed that the report did not include the ninth national plan drawn up by the Government. The plan guaranteed equal opportunities for women and men in all areas of public life, as well as the integration of a gender perspective, and sought the full realization of the goal of genuine democracy.

210. The representative stated that the process of preparing the report had provided the Government of Venezuela with the opportunity to assess the progress achieved in the implementation of the Convention. She also acknowledged the role of the Committee in the follow-up to the implementation of the Beijing Platform for Action, and expressed the hope that the critical views expressed by the Committee would improve the Government's work.

211. The representative made clear that Venezuela, as well as the rest of Latin America, was experiencing social, political, economic and cultural transformations that were having a tremendous impact on society, particularly on

women, who had seen their incomes and traditional sources of support reduced and their responsibilities expanded. However, she pointed out that the economic and political crisis of the 1980s and part of the 1990s had forced women to demand greater participation in society and the State. It was in that context that demands for "participative representation" were being made by new players, especially women.

212. The representative stressed that Venezuela had one of the highest rates of population growth in Latin America. She said that the country was affected by the end of the revenue-based model, which was causing inflation and affecting the living conditions of the population, especially women heads of household. She said that the "Plan Venezuela" had been put in place to alleviate, in the short term, the impact of structural adjustment programmes on the most vulnerable sectors of the population.

213. The representative provided a review of the major achievements with respect to equality between women and men. She described various legislative amendments, in particular the Sexual and Domestic Violence Bill, the amendments to the Civil Code concerning equality of rights and responsibilities between spouses in marriage, the principle of solidarity and sharing of responsibilities within the family, and the right for teenage mothers to remain in school. In addition, she indicated that the National Women's Council was the machinery that monitored the implementation of the legal reforms and the strategies agreed to in the Beijing Platform for Action.

214. The representative made clear that, in spite of the progress indicated, insufficient emphasis was being given to women's access to training and literacy and to programmes for the empowerment of women, and that persistent stereotypes, often found in educational texts and cultural attitudes, remained obstacles to the advancement of women. She also informed the Committee that economic inequalities persisted against women, particularly in the labour force, where their position and remuneration had placed them at a lower level than men. In addition, women were still marginalized in terms of resources, and their political participation was quite limited owing to the resistance to quotas of political parties.

215. The representative emphasized actions to be taken in the short term, including amendments to the Equal Opportunities for Women Act, which were expected to lead to the establishment of an independent women's institute.

216. The representative regretted that the Committee's procedures for periodic reports, which allowed only a short time for Governments to respond to written questions, did not enable them to provide deep analysis and appropriate replies. She concluded by emphasizing that a State party should not be subjected to undue pressures as a result of Committee procedures.

Concluding comments of the Committee

Introduction

217. Venezuela presented a report covering the period from 1989 to 1995. The Committee expressed appreciation to the representative of Venezuela for the frankness with which she described the social, economic and political situation of women in her country and the way in which her Government had tried to implement the Convention.

218. The Committee noted that the report had not been prepared according to the Committee's guidelines and had not provided statistics on problems related to each article of the Convention. Nor did it contain a detailed, factual description of the policies and programmes being carried out and their success in meeting the de facto needs of Venezuelan women with a view to complying with the Convention.

219. Nevertheless, the report contained a large amount of data on the de jure situation of women in Venezuela; that information had been taken up again and, in some cases, expanded upon in the oral presentation. The Committee thanked the representative for answering most of the 74 questions put to the Government and noted with understanding the representative's statement that lack of time had made it difficult to provide the Committee with more detailed answers or with updated statistics.

Factors and difficulties affecting the implementation of the Convention

220. The most serious obstacle to implementing the Convention in Venezuela was clearly the poverty facing a large percentage of the population (77 per cent of the urban population and 75 per cent of the rural population were living in poverty). That problem had been exacerbated by the fact that 83.99 per cent of the population had moved to urban areas, leaving only 16.01 per cent in the countryside. Among the population aged 25 to 44 years, the percentage of women migrants was greater than that of men.

221. Another serious problem was what was referred to as the "exhaustion of the revenue-based development model of the Venezuelan economy", which had forced the Government to take economic measures to control inflation and balance the budget, at the cost of social investment. The severe restrictions placed on social spending had primarily affected the most vulnerable population groups, including women, leading to the so-called feminization of poverty.

222. The country had been unable to revitalize and balance its economy, although it had implemented a plan to combat poverty in an attempt to mitigate the social costs of adjustment. The plan had not been very successful, as the report indicated.

223. The economic situation was exacerbated by the persistence of entrenched patriarchal patterns and of stereotypes and prejudices against women in people's social attitudes. Such patterns and attitudes were reinforced by a set of laws that had thus far resisted amendment (for instance, a proposal for amending the Penal Code had been under consideration since 1985), despite considerable efforts on the part of various governmental bodies and non-governmental organizations.

224. Another obstacle to the implementation of the Convention was the lack of continuity in State policies and programmes for women, which meant that concepts, methods and mechanisms for solving problems and implementing the Convention coherently and systematically kept changing.

225. A further problem was that it was difficult to secure passage, by the legislative branch, of proposals for combating discrimination against women.

226. The national machinery for implementing the Convention, the National Women's Council, did not seem to have the resources, decision-making powers and necessary influence to introduce a gender perspective in the various government bodies.

Positive aspects

227. The Committee welcomed the Penal Code Reform Bill and the Sexual and Domestic Violence Bill.

228. The Committee viewed as very positive the Equal Opportunities for Women Act, under which an independent women's institute and a national office for the defence of women's rights were to be established.

229. The incorporation of a gender perspective in the Eighth National Plan and the preparation of a national programme for women with that perspective were important achievements.

230. The promulgation of legislation guaranteeing that pregnant teenagers could complete their education and could not be withdrawn from school because of their pregnancy was a great success.

231. The cooperation initiated by the National Women's Council with non-governmental organizations and the creation of seven national women's networks were extremely positive steps.

Principal areas of concern

232. In addition to the poverty in which Venezuela's population was living, the Committee was extremely concerned at the absence of any policies and programmes at the grass-roots level for promoting women's interests and at the fact that it was difficult to secure passage of legislative proposals for meeting women's needs.

233. The Committee was also concerned that the country had not made much real progress in implementing the Convention and that, despite its efforts, it had yet to respond effectively to problems such as domestic violence, prostitution, early pregnancy, female illiteracy, discrimination in the workplace in terms of how much women were paid, the high percentage of women receiving less than the minimum wage and the elimination of stereotypes.

234. The Committee was concerned that Venezuela had not made the necessary changes to its legal system and that that continued to reinforce patriarchal patterns of behaviour.

235. The Government had also failed to set up a national programme for implementing the strategies set forth in the Platform for Action adopted at the Fourth World Conference on Women, even strategies in such urgent priority areas as poverty eradication.

236. Another area of concern was the reduction in health budgets, the rise in the maternal mortality rate, the lack of and limited access to family-planning programmes (especially for teenagers), the lack of statistics on acquired immunodeficiency syndrome and women's limited access to public health services. In addition, legislation that criminalized abortion, even in cases of incest or rape, remained in force.

237. The Committee was concerned that employment opportunities for women had been lost as a result of cutbacks in the State employment sector, especially since that was forcing women into the informal economy and into low-paid service jobs.

238. The Committee was also deeply concerned at the fact that the State had not prioritized the allocation of funds to social programmes.

239. The Committee was concerned that a Venezuelan man had the right to confer his nationality on his wife upon marriage, but a Venezuelan woman did not have the right to confer her citizenship on her husband. That constituted a violation of article 9 of the Convention.

Suggestions and recommendations

240. The Committee especially recommended the implementation of effective programmes for combating poverty, which affected women in particular.

241. The Committee said that it would welcome early adoption of the amendments to the Penal Code and of the Sexual and Domestic Violence Bill and the repeal of the article of the Civil Code concerning citizenship rights that conflicted with the Convention.

242. The Committee recommended that Venezuela fulfil the commitments it had made in adopting the Beijing Platform for Action.

243. The Committee suggested that policies and programmes should be undertaken to halt the rise in the maternal mortality rate and that family-planning programmes for teenagers should be developed, in both urban and rural areas.

244. The Committee suggested that the Government should work for early approval of the establishment of the national machinery with sufficient integration into the political system and sufficient human and financial resources.

245. The Committee recommended that the Government undertake broad-based programmes directed at the entire population, through the mass media and other possible channels, to combat gender stereotypes.

246. The Committee also recommended that the Government undertake measures to close the wage gap between women and men under the principle of equal pay for work of equal value.

247. The Committee requested the Government of Venezuela to address the concerns raised in the present comment in its next report, including following the Committee's reporting guidelines. Information on the implementation of the Committee's general recommendations and steps to be taken in regard to the follow-up to the Beijing Platform for Action should also be included. It requested the Government to provide statistical data disaggregated by sex with regard to all areas of the Convention in its next report. Finally, the Committee requested the Government to disseminate widely these concluding comments throughout Venezuela.

Denmark

248. The Committee considered the third periodic report of Denmark (CEDAW/C/DEN/3) at its 328th and 329th meetings, on 24 January 1997.

249. In her introductory statement, the representative noted that the report had been prepared in a participatory way and included the comments of various women's organizations in Denmark. To further strengthen the outreach of the Committee on the Elimination of Discrimination against Women, both the

Convention and the report had been translated into Danish and published by women's organizations.

250. The representative pointed out that much had been accomplished in terms of improving the status of women in Denmark, but the success went beyond the provision of legal rights. More importantly, Danish society had also started to change its attitude towards women. An understanding of the concept of gender, including the roles of both men and women, had gained ground. Denmark had focused its efforts on changing attitudes towards women and gender roles in Danish society. In the follow-up to the Beijing Platform for Action, Denmark had focused on mainstreaming gender issues in all levels of society.

251. The representative informed the Committee about recent efforts to strengthen the institutional framework for the advancement of women that had not been reflected in the report. An ad hoc committee had been established to develop new ideas and strategies to improve national machinery and to consult equality institutions in other countries. Furthermore, the Government of Denmark had increased its support to the Equal Status Council in terms of personnel and funding.

252. The representative highlighted some recent changes in legislation designed to advance the status of women further. For example, Danish counties were now obliged to report to the national Government on issues related to equality in employment in their region, and a proposal would be discussed in Parliament concerning women's right to join the army under conditions almost equal to those applicable to men.

253. The representative described the special efforts undertaken by Denmark to encourage fathers to share parental responsibility for the raising of children. The legal framework provided unmarried couples with the possibility of sharing custody and granted both parents the right to parental leave. The representative also pointed out that those measures had to be accompanied by programmes designed to motivate men actually to use the parental leave schemes. Therefore, the Minister of Employment was exploring new models to encourage fathers to make use of their newly acquired rights.

Concluding comments of the Committee

Introduction

254. The Committee expressed appreciation for the clear and well-organized third periodic report of Denmark, which closely followed the Committee's guidelines.

255. The Committee was pleased to note that the report and Denmark's answers to the questions of the Committee's pre-session working group provided relevant and up-to-date statistics. That allowed the Committee to discern the evolution of conditions in relation to the majority of the articles of the Convention.

256. The Committee also commended the Government of Denmark for including comments of non-governmental organizations in its report and in particular the fact that those comments responded to the report of the State party. The Committee evaluated that practice as a positive innovation.

Positive aspects

257. Denmark's commitment to high standards of gender equality and its consistent efforts to create an egalitarian society with respect to gender were regarded by the Committee as exemplary.

258. The Committee was aware of the legal measures taken by Denmark and the fact that the statistics on different aspects of gender equality in Denmark reflected constant improvement over time. The Committee was pleased to observe the institutionalized participation of women's non-governmental organizations in the politics of equality and the mainstreaming of gender equality through the creation of Equality Commissions in a majority of ministries in Denmark.

259. The Committee appreciated the Government's holistic approach to the implementation of the Convention and was pleased to note that conscientious efforts were already under way for the implementation of the Beijing Platform for Action.

260. The Committee was also pleased to learn that provisions concerning persecution on the basis of gender had been incorporated into the laws on the status of refugees in Denmark.

Principal areas of concern

261. The Committee noted with concern the challenges currently facing efforts to implement temporary special measures to hasten gender equality, such as the removal of quotas by political parties. Although the participation of women in politics was at a higher level than in other countries, Denmark had yet to reach gender parity in the political sphere.

262. The disproportionately low levels of women's participation in academe, in research positions and in management positions in the public and private sectors suggested that insufficient systematic and goal-oriented advocacy and action was taking place in the light of Denmark's leading role in those areas.

263. The inadequacy of culturally and gender-sensitive measures and programmes for immigrant and refugee women to enable them to benefit from legal and social services available in Denmark was noted as an area of concern by the Committee.

264. The absence of a specific law on violence against women was noted as a principal deficiency. The Committee expressed a desire to have fuller information about the actual incidence of violence, rape and incest and was concerned about the absence of specific legislation and/or measures to sensitize the police, the judiciary or the public in general regarding those issues.

265. The Committee noted with concern that stereotypical perceptions of gender role continued to exist in society and were related to the perseverance of attitudes and behaviour that kept women away from decision-making positions and kept men from assuming an equal share of family responsibilities.

266. The fact that women, despite their high level of education, were more seriously affected by unemployment than men was noted with concern by the Committee. The Committee was also concerned that women were still paid less than men, despite efforts to initiate assessments of equal pay for work of equal value.

Suggestions and recommendations

267. Temporary special measures should be maintained and strengthened, particularly in the areas of reducing unemployment among women; ensuring that women and men receive equal pay for work of equal value; increasing women's participation in private-sector decision-making; increasing the number of female university professors and researchers; and encouraging men to devote more time to child care and housework. Such initiatives should include quantitative targets, time limits for their achievement, specific measures and sufficient budgetary resources.

268. More research should be conducted on the incidence of violence against women, particularly in vulnerable groups such as immigrants, as well as on the advantages of enacting legislation specifically directed at reducing such violence. The research finding should be included in the next report submitted in accordance with article 18 of the Convention.

269. In particular, more efforts should be made to determine whether trafficking in women and exploitation of prostitution are taking place and whether new communications technologies, especially the Internet, are being used for such purposes.

270. The gender and culture course, which is currently optional in pre-university curricula, should be made mandatory in secondary education.

271. In accordance with the Beijing Platform for Action, it is recommended that the value of non-remunerated work done by both women and men should be included in national accounts, through satellite accounts.

272. The Committee recommended that Denmark continue to include among the objectives of its development assistance programmes the promotion of the rights of women and the elimination of discrimination against women and, in particular, the implementation of the Convention in beneficiary countries.

273. In addition to information relating to the recommendations above, the Committee requested that the next report include information on:

(a) Implementation of the Beijing Platform for Action and of the commitments announced by Denmark at the Fourth World Conference on Women;

(b) The number of women and men who work: (i) part-time; (ii) on a flexible schedule; and (iii) outside the workplace, using new technologies;

(c) The steps taken by trade unions and business organizations to implement the principle of equal pay for work of equal value;

(d) The use, in cases of abortion, of the RU-486 pill;

(e) The number of women who use medically assisted reproduction techniques and the number of children adopted;

(f) Disabled women, especially in terms of their access to education and employment;

(g) Concrete results and the de facto impact of policies on and programmes for women;

(h) The economic situation of women, including successful measures to combat the unemployment of women.

274. The Committee requested the Government of Denmark to address the concerns included in the present comment in its next report. It also requested wide dissemination of this comment throughout the country to make the people of Denmark aware of the steps that had been taken to ensure de facto equality for women and the further steps that were required in that regard.

5. Combined third and fourth periodic reports[1]

Philippines

275. The Committee considered the combined third and fourth periodic reports of the Philippines (CEDAW/C/1997/PHI/3 and 4) at its 327th and 328th meetings, on 27 January 1997. The representatives, including the Chairperson of the National Commission on the Role of Filipino Women, presented a three-part document containing extensive responses to the questions of the Committee's pre-session working group. The document had been prepared collaboratively by ministerial agencies and non-governmental organizations.

276. The Committee was informed of the various measures the Government had taken in the implementation of the Convention. A 30-year perspective plan had been devised containing information on the status of women in every sector and stipulating measures to be taken to achieve full equality between women and men. It was the policy of the Government to pursue a gender-responsive approach to poverty alleviation. Moreover, the National Commission on the Role of Filipino Women had been given direct access to the highest policy-making level. The Government's commitment was also reflected in the secured funding within the national budget for the purpose of improving women's lives. The Committee was further informed that considerable improvements had been made in the fields of women's health and education.

277. At the same time, the representative of the Philippines acknowledged that, although much progress had been achieved since the consideration of the State party's second report, there was still more to be done before the Convention was fully implemented in the country. She also noted the lack of an effective mechanism to monitor the implementation of the Convention. She described the major challenge posed by the Government's decentralization policy to the achievement of the effective implementation of the Convention.

278. The representative noted that, in spite of the rapid economic recovery, women in the Philippines suffered disproportionately from poverty, thus contributing to the continued feminization of overseas employment. Rural women were particularly affected, and this had led to the migration of a large number of rural women to urban areas as well as overseas. She reported that that was a major concern of the Government of the Philippines, which had set up, inter alia, monitoring centres, counselling services and specific support programmes, as well as providing welfare assistance. The Committee was informed that most women migrant workers were employed as entertainers and domestic helpers. Those jobs often put them in a very vulnerable position and exposed them to risks of violent abuse. In that respect, the representative recognized that further efforts were required to establish more effective systems to allow the particular needs and problems of women migrant workers to be addressed.

279. The representative alerted the Committee to the increasing incidence of crimes of violence against women. Various measures had been taken by the Government to combat such violence, reflecting the Committee's general recommendation 19 on violence against women. The Committee was informed that various support systems had been set up, including women's shelter homes and a 24-hour helpline. Several bills had been proposed, for example on rape and domestic violence, as a result of the lobbying of non-governmental organizations and government agencies. However, it remained to be seen whether they could be effectively implemented. The Government was aware that the prevailing gender-stereotyped images had to be eliminated and that a public awareness-raising campaign needed to be organized in that regard.

280. The Committee was further informed that prostitution was illegal in the Philippines. However, the representative noted that there had been changes in public opinion on that subject, and much debate had been taking place in the country in relation to the issue.

281. The representative of the Philippines concluded her presentation by assuring the Committee of her Government's commitment to advancing the status of women.

Concluding comments of the Committee

Introduction

282. The Committee welcomed the presentation by the Government of the Philippines, and commended it in particular on the high quality of its fourth periodic report, which contained detailed information on the implementation of the Convention in accordance with the Committee's guidelines. The report gave a comprehensive overview of legal and administrative measures taken by the Government of the Philippines, and the analysis indicated a good understanding of the obstacles to the advancement of women. At the same time, it lacked factual information, including statistics, on the actual effect of government programmes and policies. The Committee applauded the initiative of the Government to collaborate with non-governmental organizations in preparing the report. It was particularly pleased with the frank and sincere approach of the national machinery in identifying the major obstacles to the elimination of discrimination against women.

Factors and difficulties affecting the implementation of the Convention

283. The Committee noted the major economic policies undertaken by the Government, including economic and trade agreements at the regional and global levels, which will have a profound impact on women. In particular, the direction towards economic liberalization and privatization may have serious implications for the economic position of women and, in particular, on the economic position of women in the free-trade zones and in rural areas. The Committee was concerned that the trend towards feminization of migration and its attendant problems, including violence against women migrant workers, might be exacerbated.

Positive aspects

284. The Committee welcomed the adoption by the Government of the Philippine Plan for Gender-responsive Development, 1995-2025, and also the priority policy imperatives set by the national machinery for women to implement the Beijing

Platform for Action and to mainstream gender and development throughout the Government.

285. The Committee commended the decision to allocate a given percentage of all governmental budgets to women's programmes and projects, and encouraged an increase in the minimum percentage allocated.

286. The Committee noted with satisfaction several measures taken between the third and fourth periodic reports, such as the provision of credit assistance to women, legislation prohibiting sexual harassment, raising the minimum wage for domestic workers and increasing maternity and paternity benefits for employed persons.

287. The Committee applauded the report on an initial consultation to measure women's unremunerated work within a satellite account to the national economic system.

288. The Committee also commended the increase in the number of women's non-governmental organizations working at the grass-roots level and their significant contribution to the advancement of women, which was reflected in the reports of the State party.

289. The Committee was gratified at the exceptionally high level of literacy (93 per cent) among Filipino women.

Principal areas of concern

290. The Committee noted with concern the inadequacy of monitoring mechanisms and indicators to measure the impact of government policies and programmes, as well as laws and administrative directives and regulations, especially at the local level.

291. The Committee expressed its grave concern about the economic reforms, which had resulted in growth in the gross national product, on the one hand, but in an increasing gap in the rates of employment of women and men and the economic marginalization of women on the other. Such damage, even if short-term, would be increasingly hard to rectify. It appeared that, owing to the lack of a livelihood, rural women were migrating to urban areas, where unemployment was higher than ever, which could account for the large number of women working as prostitutes and for the high proportion of women migrating as overseas contract workers.

292. The Committee commented on the discriminatory application of laws enforced against women prostitutes and not the men involved as traffickers, pimps and clients, and noted further that forced medical examinations of the women without similar attention to the male clients was not effective as a public health measure.

293. The Committee expressed its deep concern about deficiencies in the legal system with regard to violence against women, in view of the fact that incest and domestic violence were not specifically penalized by law and were still shrouded in silence.

294. The Committee noted that the decentralization of population and development programmes should bring services closer to the people. The Committee was concerned that without the requisite resource capacities and gender sensitivity

of officials, such decentralization could deny women access to those services in contravention of the Convention.

295. The Committee noted with concern that despite the increased participation of women in decision-making in the public sphere, especially in non-governmental organizations, there was still very low representation of women in politics, top levels of Government and the judiciary.

Suggestions and recommendations

296. The Committee urged the Government of the Philippines to adopt a top-priority policy of creating safe and protected jobs for women as a viable economic alternative to the current unemployment of women and their participation as subcontractors and, in the informal sector, as workers in free-trade zones, as prostitutes or as overseas contract workers.

297. The Committee suggested that the Government ensure that its economic policy did not lead to marginalization and exploitation so that women were encouraged to seek overseas employment to the detriment of society.

298. The Committee strongly recommended that the Government strengthen agencies that provide information and support services to women before they depart for overseas work, as well as in the receiving countries in cases of need.

299. The Committee suggested that measures for dealing with prostitution should focus on penalizing traffickers and creating alternative job opportunities for the women.

300. The Committee strongly urged the Government to enact legislation to combat violence against women and to compile the relevant data.

301. The Committee recommended that reproductive and sexual health services, including family planning and contraception, be made available and accessible to all women in all regions.

302. The Committee recommended that temporary special measures be adopted to increase the participation of women in top-level decision-making positions in the public sector.

303. The Committee suggested that there was a strong need for developing gender-disaggregated data in all areas.

304. In order to facilitate the implementation of the Convention, the Committee recommended that monitoring mechanisms and indicators be developed to measure the effect of government policies and programmes.

305. The Committee requested the Government of the Philippines to address the concerns included in the present comment in its next report and to include information on the implementation of the Committee's general recommendations, as well as information relating to the follow-up to the Beijing Platform for Action in accordance with its revised reporting guidelines. It also requested wide dissemination of the comment throughout the Philippines.

Canada

306. The Committee considered the third and fourth periodic reports of Canada (CEDAW/C/CAN/3 and 4) at its 329th and 330th meetings, on 28 January 1997.

307. In introducing the report, the representative placed the implementation of the Convention and the Platform for Action adopted at the Fourth World Conference on Women within the framework of the Canadian federal system. She noted that in Canada, the federal and provincial/territorial governments shared legislative authority. Responsibility for areas such as education, health and social services was largely devolved to the provincial/territorial level. Canada's national machinery for the advancement of women was well-established at the federal level, and women's bureaux or agencies existed at the level of all provincial/territorial governments.

308. Canada's approach to promoting gender equality was based on the recognition that gender factors influenced political, economic and social systems. As a consequence, all social policy must take into account the differential impact of policies on men and women. The national machinery provided gender analysis and policy advice to government entities to ensure that gender factors were incorporated into legislation, policies and programmes.

309. The representative stressed that her Government attached great importance to close cooperation with non-governmental organizations and civil society as a crucial aspect of the advancement of women. Various efforts were undertaken to reflect the views of civil society in policy-making processes. Extensive networks existed with non-governmental organizations, and the Government provided funding to many women's organizations.

310. Noting that Canada faced new domestic and global socio-economic challenges, the representative emphasized that Canada had taken decisive steps to provide women with an effective legal framework against discrimination. The Canadian Charter of Rights and Freedoms guaranteed equality before the law and under the law and the equal protection of the law to women and men. Individuals and groups could challenge legislation and practices of the federal or provincial/territorial governments if they perceived them to be discriminatory. The Charter provided protection against intentional discrimination as well as systemic discrimination and protected women against laws and practices that resulted inadvertently in unfair treatment of women. A special programme provided financial support for groups and individuals seeking the equality protection of the Charter. A recent amendment to the Canadian Human Rights Act granted protection against discrimination on the basis of sexual orientation.

311. The representative highlighted a number of recent efforts by her Government to advance women's equality in the economic and social fields. As women's employment and economic autonomy were considered to be key building blocks for women's equality, improvements were needed with regard to women's earnings and to deal with persistent occupational segregation. A number of recent legislative measures were intended to address those areas. Efforts were also ongoing to measure and value women's and men's unpaid work in the household and to take it into account in policy.

312. The elimination of violence against women and children was another issue of high priority. Canada approached the problem in a comprehensive and holistic way, with particular attention to the underlying causes of such violence. In addition to recent amendments to strengthen the Criminal Code's response to violence, a number of legislative initiatives were pending.

313. The representative pointed out that special assistance was provided to women who were multiply disadvantaged, a third area of recent initiatives by the Government. Canada recognized that women were disadvantaged not only because of gender but also because of ethnicity, disability or income. The situation of aboriginal women required special attention, and recommendations contained in a recently completed study by the Royal Commission on Aboriginal People were expected to play an important role in future policy-making in that field.

314. A fourth area was to ensure women's equal access to health care. Given rising health care costs in Canada, major changes in the Canadian health care system were expected to be implemented over the next decade. The preservation of women's equal access to quality health care would be an essential concern in that process.

315. In conclusion, the representative recognized that despite the progress made in many areas, a lot remained to be done. She assured the Committee of her Government's willingness to develop innovative solutions to the remaining problems, working closely with all parts of Canadian society.

Concluding comments of the Committee

Introduction

316. The Committee commended the Canadian Government for its third and fourth periodic reports and for the excellent and comprehensive replies to the numerous written questions prepared by the experts.

317. The Committee also appreciated the high-level delegation, which included representatives from the provinces.

318. The Committee found the format of the written reports, broken down by provinces, difficult to analyse and evaluate. As a result, experts were unable to appreciate fully the gains and obstacles in implementing the Convention.

319. The Committee noted the leading role of Canada in promoting gender equality at the international level through its development cooperation programmes on gender mainstreaming and violence against women.

320. The Committee also noted that while in the report there was a comprehensive review of new legislation and jurisprudence on human rights affecting women, the information provided did not adequately explain the impact on either women in general or on specific groups of women.

Factors and difficulties affecting the implementation of the Convention

321. The restructuring of the economy, a phenomenon occurring in Canada and other highly industrialized countries, appeared to have had a disproportionate impact on women. Although the Government had introduced many measures designed to improve the status of women, the restructuring was seriously threatening to erode the significant gains and advances made by Canadian women. Given the Government's proud record of leadership on women's issues globally, those developments would not only have an impact on Canadian women, but would also be felt by women in other countries.

Positive aspects

322. The Committee commended the high degree of importance attached to the promotion and implementation of human rights in Canada emphasized by its Charter of Rights and Freedoms as well as its ratification of international human rights instruments, including the Convention.

323. The Committee noted that Canada had, by its landmark decision-making gender-based violence a basis for granting asylum to women, once again led the way.

324. The Committee noted with appreciation the introduction of the Federal Plan for Gender Equality, which was Canada's framework and blueprint for implementing the Beijing Platform for Action.

325. The Committee welcomed Canada's emphasis on the participation of civil society in promoting gender equality and in providing mechanisms for cooperation and dialogue, in particular with non-governmental organizations. The annual consultation on violence against women conducted by the Minister of Justice in cooperation with the Council on the Status of Women was particularly commendable.

326. The Committee also noted with satisfaction that Canada continued to strengthen and refine its gender mainstreaming efforts at all levels.

Principal areas of concern

327. While many measures, including laws, were in place to address violence against women, the incidence of such violence was not diminishing, but had in fact increased in some areas.

328. The Committee was concerned about the rising teenage pregnancy rate, with its negative impact on health and education and the resulting increase in the poverty and dependency of young women.

329. The Committee expressed its concern about the trend towards the privatization of health care programmes, which could seriously affect the accessibility and quality of services available to Canadian women, especially the most vulnerable and disadvantaged.

330. The Committee was concerned that within the framework of economic and structural changes, including those arising from regional and international economic arrangements, insufficient attention had been paid to their impact on women in general and on disadvantaged women in particular.

331. The Committee was concerned about the deepening poverty among women, particularly among single mothers, aggravated by the withdrawal, modification or weakening of social assistance programmes.

332. The Committee was concerned that despite the steps taken to implement the Federal Employment Equity Act in the public sector, it was still too limited to have a real impact on women's economic position and suffered from weak enforcement.

333. The Committee was concerned that programmes directed at aboriginal women might have discriminatory effects.

334. The Committee also expressed its concern that current budget cutbacks were affecting the continuity of services in women's crisis centres.

Suggestions and recommendations

335. The level of violence against Canadian women in general and sexually exploited women and girls, prostitutes and women victims of trafficking in particular requires urgent action. Measures to combat violence against women need to be continuously monitored and evaluated for their impact on long-term behaviours and attitudes.

336. The Committee suggested that the Government address urgently the factors responsible for increasing poverty among women and especially women single parents and that it develop programmes and policies to combat such poverty.

337. Information on the valuation and qualification of women's unpaid work, including domestic work, should be provided in future reports.

338. The Committee suggested that in the next report the Government, within the possibilities of its legal framework, integrate the information from federal and provincial levels article by article. The Committee also recommended that the report include explicit information on the impact of legislation, policies and programmes on Canadian women in general and specific groups of women in particular.

339. Methodologies to assess progress made in closing the gap in pay between men and women and in ensuring equal pay for work of equal value should be developed.

340. The Federal Plan for Gender Equality should have a specific time-frame, benchmark and measurable goals to monitor implementation and the specific resource allocation required.

341. A comprehensive picture of the situation of aboriginal women should be provided, including their educational situation, their position in the labour force and a description and evaluation of past and present federal and provincial programmes for aboriginal women. Programmes directed at aboriginal women should be monitored for possible discriminatory effects. The plight of aboriginal women in prison is of urgent concern.

342. The Committee recommended that social assistance programmes directed at women be restored to an adequate level.

343. The Committee urged the wide dissemination of the present concluding comments in Canada to make Canadians aware of the steps that had been taken to ensure de facto equality for women and the further steps that were required in that regard.

6. Report submitted on an exceptional basis

Zaire

344. At its 317th meeting, on 16 January 1997, the Committee, on the recommendation of its Bureau, considered an oral report presented on an exceptional basis by the representative of Zaire.

345. The Committee had originally scheduled to take the initial report of Zaire at its sixteenth session. However, as a result of a breakdown in communication between New York and Kinshasa, the Government did not inform the Secretariat that it was ready to present its report. As a result, the initial report of Zaire was not included in the Committee's agenda.

346. However, as the representative of Zaire arrived in New York expecting to present the State party's initial report, the Committee instead agreed that the representative of Zaire would make an oral report on an exceptional basis on the situation of women in Zaire. The Committee agreed on the understanding that the regular report of Zaire would be rescheduled for consideration by the Committee at a future date.

347. The representative stated that eastern Zaire was in a state of rebellion, and as many as 600,000 Zairians, predominantly women and children, were displaced within the country. At the same time, Zaire was host to a significant number of refugees from Rwanda and Burundi. Many persons, including women and children, both Zairians and refugees, had fallen victim to violence, including murder, rape and other abuses.

Comments of the Committee

348. The Committee reiterated that the oral report had been heard on an exceptional basis and as a matter of courtesy for the delegation of Zaire and that the regular report would be rescheduled. It expressed its particular concern for the situation of Zairian women in those areas where conflict had occurred and where refugee populations were high.

349. The Committee regretted that the oral report by the State party had not sufficiently reflected the close link that existed between discrimination against women, gender-based violence and violation of the rights and fundamental freedoms of women, particularly in the light of the current situation in the country.

350. The Committee was of the view that effective and immediate measures needed to be taken to protect the physical and moral integrity of refugee and displaced women and of all women victims of armed conflict.

351. The Committee encouraged the State party, when presenting its initial and subsequent reports, to provide information on the consequences of armed conflict within Zaire for the lives of Zairian women, as well as for the lives of refugee women from countries neighbouring Zaire.

V. WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

352. At its 311th and 332nd meetings, on 13 and 31 January 1997, the Committee considered ways and means of expediting the work of the Committee (agenda item 8).

353. The item was introduced by the Chief of the Women's Rights Unit of the Division for the Advancement of Women, who introduced the report by the Secretariat on ways and means of expediting the work of the Committee (CEDAW/C/1997/5), a working paper containing draft rules of procedure (CEDAW/C/1997/WG.1/WP.1) and the report by the Secretariat on reservations to the Convention (CEDAW/C/1997/4).

Action taken by the Committee on the report of Working Group I

354. At its 332nd meeting, 31 January 1997, the Committee considered this item on the basis of the report of Working Group I.

1. Concluding comments

355. The Committee decided to maintain its practice of designating a main country rapporteur and back-up rapporteur for each State party report. It decided that the expert nominated as the main country rapporteur would draft the comment and work in close collaboration with the back-up rapporteur, the general rapporteur of the Committee and the Secretariat. The country rapporteur should seek additional information on both initial and subsequent reports about the country under review. She was to present her findings as an introduction to the report at a closed meeting, before the State party's presentation, but the concluding comments drafted thereafter would reflect the views expressed at the meetings during which the report was presented rather than the views of the individual rapporteur.

356. The Committee decided that concluding comments should follow the standard pattern elaborated by it at its fifteenth session. It recommended that a standard format with five headings should be followed, but some flexibility would be necessary to meet unusual situations. The introduction of the comment should include whether the report had followed the Committee's guidelines, whether it was sufficient or insufficient, whether it had incorporated statistical data disaggregated by sex and the nature and quality of the oral report. It was suggested that there should be an objective indication of the strengths of the report and the level of the delegation, which should be considered in an open fashion, as it was impossible for some countries to send large or high-level delegations.

357. The Factors and difficulties section would describe major areas of the Convention that had not been implemented by States parties. It would address whether the Convention was self-executing and whether legislation had been put in place to give effect to it, as well as overarching social factors, such as tradition and cultural and behavioural patterns. That section should also include general factors such as the impact of structural adjustment and transition on the women of the State party under review. Any reservations to the Convention should be addressed in that section.

358. The Positive aspects section should be organized in the order of the articles of the Convention. The Principal areas of concern section should be organized in the order of the importance of the particular issue to the country under review. The Recommendations and suggestions section should provide concrete solutions from the Committee to the problems identified in the rest of the comment.

359. The concluding comments would also include a reference to any commitments of the State party made at the Fourth World Conference on Women, and would close with a recommendation relating to the dissemination of the Convention, the reports and the concluding comment. Each concluding comment would be internally balanced, and the Committee would strive to achieve consistency and balance, particularly in terms of praise and expressions of concern, among the concluding comments elaborated at each session.

360. The Committee would hold a closed meeting after the close of constructive dialogue with each State party in order to reflect on the main issues and tendencies to be discussed in the concluding comment relating to the report of the State party.

361. The Committee requested that these guidelines for concluding comments should be provided by the Secretariat to the Committee at each of its sessions.

2. Relations with non-governmental organizations

362. The Committee was broadly supportive of the involvement of non-governmental organizations in its work, its general view being that non-governmental organization material did not compromise the independence of the members, who had been selected on the basis of expertise and integrity. The Committee welcomed the input of non-governmental organizations and proposed that their advocacy role be encouraged. It recommended that as from the seventeenth session, the Secretariat should facilitate an informal meeting with non-governmental organizations, which would include, inter alia, country-specific information, if possible with interpretation, during the first and second days of its session. The Working Group noted that reports of non-governmental organizations were able to shed light on the de facto implementation of the Convention in States parties and that those reports should be made public and shared with, and made widely known in, the State party concerned. It was stressed that the input of non-governmental organizations should not be perceived as clandestine material given to Committee members.

3. Relations with other treaty bodies

363. The practice of nominating Committee members to serve as focal points to other treaty bodies should continue. The Secretariat should ensure that the concluding comments of the Committee are transmitted immediately to other treaty bodies and that the concluding comments and observations of the other bodies are made available to the Committee as soon as possible.

364. The Committee welcomed the initiation of meetings between the Committee and the Committee on the Rights of the Child and called for further collaboration with other treaty bodies. In particular, the Committee should take into account the general comments and recommendations of other treaty bodies. The Working Group recommended that those members with fellow nationals in other treaty bodies should collaborate with them as much as possible.

4. Specialized agencies and other entities

365. Links between the Committee and specialized agencies and other entities of the United Nations should be strengthened. The Secretariat should ensure that the concluding comments of the Committee are submitted to the heads of specialized agencies as soon as possible after their conclusion. Specialized agencies, particularly those with field-level offices, should keep in mind the principles and recommendations of the Committee in defining their work programmes. The input of specialized agencies and other entities into the Committee's work within article 22 of the Convention should be more structured. Such input should be country-specific and include information on treaties accepted by the reporting State party, information from country or regional studies about the State party, new statistics about the State party collected by the agencies and a description of the country-level programmes of the agencies in the State party under review. The Committee would review its practice of nominating focal points for specialized agencies and other entities at its next session.

5. Institutional relations

366. An ongoing formal exchange should be established between the Committee and the Special Rapporteur on violence against women, its causes and consequences. The Special Rapporteur should be invited to report to the Committee on general developments within her mandate, as well as on the results of specific studies undertaken by her which related to States parties under review by the Committee.

367. The Committee also recommended that relations be maintained with the Special Rapporteur on traditional practices affecting the health of women and children, as well as other relevant country-specific and thematic mechanisms.

6. Analyses reports

368. The analysis report prepared by the Secretariat should provide the text of any reservations entered by the State party, information about whether those reservations had been withdrawn or modified and the text of reservations to other treaties. The reports should also include the reactions of other States parties to reservations to the Convention and current statistics culled from United Nations sources. The Secretariat would also provide an analysis of whether any recommendations in the concluding comments of the Committee relating to the earlier report of the State party were addressed in the subsequent report.

7. Pre-session Working Group

369. On the basis of written observations of members of the Committee as well as observations of members of the pre-session working group, the pre-session working group would formulate a short list of questions concentrating on major areas of concern in regard to implementation of the Convention by the State party. The pre-session should be convened at the session prior to the one at which selected States parties were to report. Written questions would be submitted to the State party, which would be answered in writing by the State party in advance of the session. The Committee would enter into a constructive dialogue on the basis of those replies.

8. The Committee's practices during constructive dialogue

370. Guidelines should be formulated to guide States parties with regard to their presentation of subsequent reports. Those guidelines should be part of the Committee's existing guidelines for the preparation of reports. The guidelines should indicate that the State party presenting its report would address the Committee for up to one hour with one and a half meetings being available for consideration by the Committee of the report.

371. Committee members should identify those areas in which they wished to specialize at the next session. A group of up to three members would communicate with each other about their area of specialization and prepare thematic questions. Specialization would not preclude members from posing questions in areas outside their speciality.

9. Rules of procedure

372. A first reading of the revised draft rules of procedure prepared by Ms. Bernard was begun, and general comments that would be submitted to Ms. Bernard and reflected in her revised draft for the seventeenth session were made. It resolved that any further comments would be sent through the Secretariat to Ms. Tallawy, who would compile them and submit them through the Secretariat to Ms. Bernard. The preparation of rules governing reports on an exceptional basis was recommended.

10. Technical and advisory services

373. The budget for technical and advisory services of the Centre for Human Rights should be made available to promote the Convention and the work of the Committee.

374. A number of regional and international seminars, concerning, inter alia, gender sensitivity, de jure and de facto equality and reservations to the Convention were suggested by the Committee. A small working group of Committee members would be convened to conceptualize the first such seminar and to examine funding requirements for the first such seminar during 1997 and early 1998. The Committee recommended that the expertise of present and past Committee members should be called upon as a resource for such activities.

11. Overdue reports

375. The Secretariat was requested to present a list to future sessions of the Committee of those States parties whose reports have been overdue for more than five years.

12. Reports to be considered at the seventeenth and eighteenth session

376. The Committee decided that the reports of 10 States parties would be considered at the Committee's seventeenth session, in July 1997, and that the reports of another 10 States parties would be considered at its eighteenth session, in January 1998.

377. Bearing in mind the criteria of date of submission, geographical balance and reports delayed from earlier sessions, the reports of the following States parties should be considered:

Seventeenth session

(a) Initial reports

Antigua and Barbuda

Armenia

Israel

Namibia

Luxembourg

(b) Second periodic reports

Dominican Republic

Argentina

Italy

(c) Third periodic reports

Australia

Bangladesh

378. In the event that one of the above-mentioned States parties was not able to present its report, the Committee decided to consider the following reports:

(a) Initial reports

Azerbaijan

Belize

Croatia

Zimbabwe

(b) Second periodic reports

Equatorial Guinea

Bulgaria

Republic of Korea

Eighteenth session

(a) Initial reports

Azerbaijan

Belize

Croatia

Zaire

Zimbabwe

(b) Second periodic reports

Bulgaria

Equatorial Guinea

Indonesia

(c) Third periodic reports

Mexico

Republic of Korea

379. In the event that one of the above-mentioned States parties was not able to present its report, the Committee decided to consider the report of the Czech Republic.

13. United Nations meetings to be attended by the Chairperson/members of the Committee in 1997

380. At its sixteenth session the Committee recommended that the Chairperson or an alternate should attend the following meetings (listed in order of priority):

(a) The Commission on the Status of Women;

(b) The Commission on Human Rights;

(c) The meeting of persons chairing the human rights treaty bodies;

(d) The General Assembly (Third Committee).

14. Members of the pre-session working group for the seventeenth session

381. The Committee decided that the members of the pre-session working group for the seventeenth session of the Committee and their alternate should be:

Member	Alternate
Ms. Miriam Estrada (Latin America)	Ms. Aida Gonzalez
Ms. Emna Aouij (Africa)	Ms. Ahoua Ouedraogo
Ms. Ayse Feride Acar (Europe)	Ms. Carlota Bustelo
Ms. Aurora Javate de Dios (Asia)	Ms. Salma Khan

15. Dates of the seventeenth session of the Committee

382. Consistent with the calendar of conferences for 1997, the seventeenth session should be held from 7 to 25 July 1997, in New York. The pre-session working group would meet from 30 June to 3 July 1997.

VI. IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

383. At its 311th and 332nd meetings, on 13 and 31 January 1997, the Committee considered the implementation of article 21 of the Convention (agenda item 7).

384. The item was introduced by the Deputy Director of the Division for the Advancement of Women, who presented the following documents prepared by the Secretariat:

(a) A report of the Secretariat on the analysis of articles 7 and 8 of the Convention (CEDAW/C/1994/4);

(b) A working paper containing a draft general recommendation on articles 7 and 8 of the Convention (CEDAW/C/1997/WG.II/WP.1);

(c) A note by the Secretary-General on reports provided by specialized agencies of the United Nations on the implementation of the Convention in areas falling within the scope of their activities (CEDAW/C/1997/3 and Add.2 and 3).

A. Action taken by the Committee on the report of Working Group II

385. At its 332nd meeting, on 31 January, the Committee considered the item on the basis of the report of Working Group II and took the following decisions:

1. General recommendation on articles 7 and 8 of the Convention

386. The Committee adopted a general recommendation on articles 7 and 8 of the Convention on women in public life, and authorized Ms. Silvia Cartwright, in conjunction with the Secretariat, to edit the text in order that it could be processed in final form for inclusion in the report of the Committee on its seventeenth session.

2. Open-ended working group on the elaboration of a draft optional protocol to the Convention

387. The Committee designated Ms. Silvia Cartwright to represent the Committee as a resource person at the forty-first session of the Commission's open-ended working group on the elaboration of a draft optional protocol to the Convention.

B. Statements by senior United Nations officials

Executive Director of the United Nations Population Fund

388. At the 314th meeting, on 15 January 1997, the Executive Director of UNFPA addressed the Committee, observing that the work of the Committee had been ground-breaking, notably in the context of women's health, and in particular of women's reproductive health. The guarantee of reproductive rights was indispensable in achieving gender equality and the improvement of women, and those goals were essential conditions for achieving sustainable development.

389. She indicated that UNFPA had been honoured to sponsor, together with the Division for the Advancement of Women and the United Nations High Commissioner for Human Rights, the recent round table of human rights treaty bodies on human rights approaches to women's reproductive and sexual health and rights, and acknowledged the important role played by the Committee in that initiative. The round table, which was the first occasion at which experts from all six human rights bodies as well as representatives of United Nations agencies and of non-governmental organizations had been brought together to address a thematic issue, made a number of recommendations, in one of which it called upon treaty bodies, United Nations agencies, non-governmental organizations and others to strengthen their working relationships so as to foster a gender-integrated human rights perspective in their respective programmes. The Executive Director made clear that UNFPA had already sought to implement a number of the recommendations of the round table and had met with the Division and the Commissioner to discuss follow-up actions.

390. She also expressed the view that the human rights treaty process was critical in creating an international standard that transcended culture, traditions and societal norms. Although the latter were important forces binding societies together, they should not be used to force women into a subordinate role, damage their health and minimize their contributions to family, the community and their countries.

Executive Director of the United Nations Children's Fund

391. Also at the 314th meeting, the Committee heard an address by the Executive Director of UNICEF. She indicated that 1996 had seen progress towards a close relationship between the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, and noted that the UNICEF Executive Board had designated the rights of children and women as one of the three areas for follow-up of the Fourth World Conference on Women. She emphasized the importance of the first joint meeting of the two committees, held at Cairo from 16 to 25 November 1996, and described the several subsequent follow-up meetings to that meeting. She also observed that, under the UNICEF Mission Statement, the organization was guided by the Convention on the Rights of the Child and was committed to the principle of non-discrimination and the equal rights of women and girls.

Deputy Assistant Administrator and Deputy Director, Bureau for Policy and Programme Support, United Nations Development Programme

392. At its 331st meeting on 29 January 1997, the Deputy Assistant Administrator and Deputy Director, Bureau for Policy and Programme Support, of the United Nations Development Programme (UNDP) addressed the Committee and stressed the commitment of UNDP to the empowerment of women. She indicated that the elimination of discrimination against women had two prongs so as to build country capacity in 134 programme countries to strengthen the enabling policy and legal framework for gender equality and to improve women's access to assets and resources, including decision-making. She also indicated that UNDP was guided by the primary objective of eliminating poverty and recognizing that for the majority of the world's women, overcoming poverty was the greatest challenge that they faced. She noted that women predominated in the care economy, which tended to be unpaid and undervalued. She also noted that UNDP had taken the first step in the long journey towards bringing human values into the economic equation. She indicated that women must be clear on the value system they will perpetuate through socialization and their own leadership. She emphasized that UNDP would work with the Committee to address discrimination against women.

Director of the United Nations Development Fund for Women

393. The Director of UNIFEM addressed the Committee at its 331st meeting, on 29 January 1997. She affirmed the continued interest of UNIFEM in supporting the work of the Committee. She acknowledged the work of Ms. Corti, the outgoing Chairperson, and congratulated the new Chairperson, Ms. Salma Khan, assuring her of UNIFEM support to her in her new capacity. She described the work of UNIFEM to promote the Convention and the Committee. In particular, she described the recent initiative of UNIFEM in collaboration with International Women's Rights Action Watch (Asia/Pacific), which allowed eight women from six countries who were and would soon be reporting to the Committee to attend the session and to take part in an intensive orientation on the Convention. She indicated that this had intensified the commitment of UNIFEM to find innovative ways to support implementation of the Convention. In that context, she looked forward to learning the Committee's views on future interaction with women around the world.

VII. PROVISIONAL AGENDA FOR THE SEVENTEENTH SESSION

394. At its 333rd meeting, on 31 January 1997, the Committee considered the provisional agenda for its seventeenth session (agenda 9).

395. At its 308th meeting, on the basis of the report of Working Group I, the Committee decided to approve the following agenda:

1. Opening of the session.

2. Solemn declaration.

3. Adoption of the agenda and organization of work.

4. Report of the Chairperson on the activities undertaken between the sixteenth and seventeenth sessions.

5. Consideration of reports submitted by States parties under Article 18 of the Convention.

6. Implementation of Article 21 of the Convention.

7. Ways and means of expediting the work of the Committee.

8. Provisional agenda for the eighteenth session.

9. Adoption of the report of the Committee on its sixteenth session.

VIII. ADOPTION OF THE REPORT

396. At its 333rd meeting, on 31 January 1997, the Committee adopted the report on its sixteenth session (CEDAW/C/1997/L.1 and Add.1-12), as orally amended.

Notes

[1] Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38, and corrigendum (A/45/38 and Corr.1), paras. 28-31.

[2] Ibid., Fifty-first Session, Supplement No. 38 (A/51/38), para. 348.

[3] At its 313th meeting, the Committee was informed that its Bureau had waived the general rule requiring simultaneous release of official documents in all working languages of the Committee and agreed to take up document CEDAW/C/1997/PHI/4 on the basis of the edited English version.

[4] Effective 17 May 1997, Zaire was renamed the Democratic Republic of the Congo.